Jim Crow Car Laws - 1925 D.C.

NEW YORK CITY SUN
NOVEMBER 7, 1925

Absolves Pullman Co. Of Racial Discrimination

WASHINGTON, Nov. 7 (A. P.).—A recommendation that the railroads of the South and the Pullman company be acquitted of charges of racial discrimination was laid before the Interstate Commerce Commission to-day by one of its examiners who investigated the subject.

Reporting adversely on a complaint by E. Crosby, a negro doctor, who asked for $120,000 damages, John McChord, the examiner, reported that "unjust discdimination or prejudice against persons of the colored race in favor of persons of the white race has not been shown as allege." He added that "the commission has no jurisdiction to award punitive or exemplary damages."

Crosby asserted that in 1922 and 1923 Pulman tickets had been refused him and attorneys of his race at various points in the South. Officials of the Pullman company declared there had been no refusal generally to sell Pulman tickets to negroes.

NEGRO'S PLAINT ON "JIM CROW" LAW NOT UPHELD

I. C. C. Examiner Recommends No Proper Ground In Dr. E. Crosby's Case.

WASHINGTON, Nov. 7.—A recommendation that the railroads of the south and the Pullman company be acquitted of charges of racial discrimination was laid before the interstate commerce commission today by one of its examiners who investigated the subject.

The investigation resulted from a complaint by Dr. E. Grosby, a negro doctor who sought damages of $120,000 because of alleged discrimination. John McChord, attorney examiner, who took evidence for the commission in the matter, reported that "unjust discrimination or prejudice against persons of the colored race in favor of persons of the white race, had not been shown as alleged," and added further that "the commission has no jurisdiction to award punitive or exemplary damages." He recommended that the commission dismiss the complaint and deny any reparation.

Dr. Crosby asserted in entering the proceeding that the Nashville, Chattanooga and St. Louis railway in 1923 has failed to furnish "necessary facilities for the comfort of colored passengers" on a trip from Chattanooga to Atlanta.

Also in April, 1922, he declared he was refused a Pullman ticket for Chattanooga from Chehaw, Ala., on the Atlanta and West Point railroad. He alleged other refusal to give Pullman accommodations on the Louisville and Nashville railroad during 1923.

During the hearings general officials of the Pullman company declared there had been no refusal generally to sell Pullman tickets to negroes.

The other grounds of complaint cited by Crosby, the examiner said, were countered by previous rulings of the commission declaring reasonable the segregation of negro and white passengers on trains in southern territory.

LOSES SUIT AGAINST JIM CROW ROADS

Investigator Sees No Race Discrimination

Washington, D. C., Nov. 13.—Reporting that unjust discrimination against persons of the race in favor of white persons on the part of railroads in the South and the Pullman company had not been shown, an attorney-examiner for the Interstate Commerce commission has recommended dismissal of the complaint.

The complaint was filed with the Interstate Commerce commission on Jan. 5, 1924, by Dr. E. Crosby of Detroit, Mich., who charged that between April 10, 1922, and Nov. 7, 1924, the St. Louis and San Francisco Railway company, the Louisville and Nashville Railway company, the Atlanta and West Point Railroad company, the Chattanooga and St. Louis Railroad company, the Southern Railway company, and the Pullman company had failed to furnish necessary facilities for the comfort of our passengers traveling interstate; that they had refused to sell him a Pullman ticket on different occasions and that while a passenger on trains of these lines he was subjected to unjust discrimination and undue prejudice in numerous instances in violation of the interstate commerce act.

The interstate commerce commission was asked to require these companies to furnish the same facilities and establish the same standard or rule of service for our people as for white persons and to award damages in the sum of $120,-000.

Unsanitary Conditions

At the hearing on the complaint Dr. Crosby testified that he was a passenger on a train of the Nashville, Chattanooga & St. Louis from Chattanooga, Tenn., to Atlanta, Ga., Oct. 18, 1923, in a coach provided for the accommodation of our passengers; that the space provided was one end of this car containing five seats on one side and seven on the other; that only one toilet was provided for both sexes, the key to which was carried by the baggage master and when occasion for its use was required it was necessary to see the porter or the baggage master to obtain the key. He also stated that no smoker was provided.

He also testified that on Sunday, Sept. 30, 1923, he purchased a ticket of the Louisville & Nashville Railroad company at Louisville, Ky., for Nashville, Tenn., and attempted to get accommodations on a train that was due to leave at 11:05 a. m.; that the space in the car provided for our passengers was inadequate. It was a steel car with nine seats. Two-thirds of the car was set aside for our passengers and the balance was partitioned off as a smoker for white passengers. There was but one toilet provided for both sexes. Dr. Crosby stated that he was unable to get a seat in this car on account of the crowd. Standing room in the aisle, h said, was not available.

Dr. Crosby testified that he attempte to get accommodations on an afternoo train. The Jim Crow car was large than that provided on the mornin train. He testified to his inability t get a seat in the car on account of it crowded conditions and his efforts t have the station master provide an ad ditional car, which were not successful He also testified to his unsuccessful ef forts to purchase Pullman accommoda tions and the failure to find the diagran of the Pullman car, although the por ter advised him that there were fiv vacant upper berths.

Denies Charges

Testifying generally as to furnishing Pullman accommodations, the general agent of the Pullman company stated that the Pullman company makes no distinction in favor of white passengers in furnishing accommodations in the southern states or elsewhere. He stated that passengers are furnished accommodations whenever they request them and space is available.

The Louisville & Nashville introduced no evidence as to the character of accommodations provided in its train from Louisville to Nashville, as testified to by Dr. Crosby.

In his report John McChord, attorney-examiner for the commission, states that "the mere description by complainant in evidence of the accommodations provided in the cars cars provided for Colored passengers by the Nashville, Chattanooga & St. Louis and the Louisville & Nashville on the occasions when complainant desired to travel, as alleged, without evidence showing the character of accommodations furnished white passengers in the same trains in comparison, is not sufficient upon which to base a finding of unjust discrimination.

"It will not be concluded in the absence of evidence proving the fact that white passengers were provided by the Nashville, Chattanooga & S. Louis and Louisville & Nashville at the time complained of with any different or superior accommodations to those furnished complainant and other Colored passengers.

"The evidence shows that the Pullman company generally makes no discrimination in favor of white passengers against Colored passengers in furnishing accommodations in its cars. Discrimination is not proved to have been practiced against complainant.

"The commission should find that it has no jurisdiction to award punitive or exemplary damages; that unjust discrimination or prejudice against persons of the Colored Race in favor of persons of the white race has not been established as alleged against either of the defendants, and the commission should dismiss the complaint."

Conference In Africa

CONFERENCE ON CONDITIONS IN AFRICA

The Africa Committee of the Committee of Reference and Counsel has called an open conference on Africa to be held in Hartford, Connecticut, October 30 to November 1. The sessions of the conference will be held in the Kennedy School of Missions.

Some of the problems to be considered at this conference, which will be attended largely by representatives of mission boards having work on that continent, will be: "Present Situation in Africa," "Educational Objectives in Africa," "The Education of Women and Girls," "Co-operation for Africa and Africans," as well as a consideration of problems in hygiene and public health, languages and literature, and in the reaching of the people in large cities and mining centers of Africa. Plans will also be made looking toward the "world conference on Africa," which is to be held during 1926.

INTERSTATE COMMERCE COMM EXAMINER RECOMMENDS TH DISMISSAL OF JIM-CROW CASE

Reporting that unjust discrimination against colored persons in favor of white persons on the part of railroads in the South and the Pullman Company had not been shown, an attorney-examiner for the Interstate Commerce Commission has recommended dismissal of the complaint.

The complaint was filed with the Interstate Commerce Commission on January 5, 1924, by Dr. E. Crosby, of Detroit, Michigan. In it he charged that between April 10, 1922, and November 7, 1924, the St. Louis and San Francisco Railway Company, the Louisville and Nashville Railway Company, the Atlanta and West Point Railway Company, the Atlanta and West Point Railway Company, the Chattanooga and St. Louis Railroad Company, the Southern Railway Company, and the Pullman Company had filed to furnish necessary facilities for the comfort of colored passengers traveling interstate; that they had refused to sell him a pullman ticket on different occasions and that while a pasesnger on trains of these lines he was subjected to unjust discrimination and undue prejudice in numerous instances in violation of the interstate commerce act.

The Interstate Commerce Commission was asked to require these companies to furish the same facilities and establish the same standard of rule or service for colored persons as for white persons and to award damages in the sum of $120,000.

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He also testified that on Sunday, September 30, 1923, he purchased a ticket of the Louisville and Nashville Railroad Company at Louisville, Ky., for Nashville, Tenn., and attempted to get accommodations on a train that was due to leave at 11:05 a.m., that the space in the car provided for colored passengers was inadequate. It was a steel car with nine seats. Two thirds of the car was set aside for colored passengers and the balance was partitioned off as a smoker for white passengers. There was but one

toilet provided for both sexes. Dr. Crosby stated that he was unable to get a seat in this car on account of the crowd. Standing room in the aisle, he said, was not available.

Dr. Crosby testified that he attempted to get accommodations on an afternoon train. The car provided for colored passengers was larger than that provided on the morning train. He testified to his inabliity to get a seat in the car on account of its crowded conditions and his efforts to have the station master provide an additional car were not successful. He also testified to his unsuccessful efforts to purchase pullman accommodations and the failure to find the diagram of the parlor car, although the porter advised him that there were five vacant upper berths.

Testifying generally as to furnishing pullman accommodations to colored passengers the General Agent of the Pullman Company stated that the Pullman Company makes no distinction in favor of white passengers against colored passengers in furnishing accommodations in the southern states or elsewhere. He stated that colored passengers are furnished accommodations whenever they request them and space is available.

The Louisville and Nashville introduced no evidence as to the character of accommodations provided for colored passengers in its trains from Louisville to Nashville as testified to Dr. Crosby.

In his report, John McChord, the attorney-examiner for the commission states that "The mere description by complainant in evidence of the accommodations provided in the cars provided for colored passengers by the Nashville, Chattanooga and St. Louis and the Louisville and Nashville on the occasions when complainant desired to travel as alleged without evidence showing the character of accommodations furnished white passengers in the same trains in comparison, is not sufficient upon which to base a finding of unjust discrimination.

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Jim Crow Car Laws - 1925. Florida.

PROSECUTE NEGROES WHO RODE IN PULLMAN IN FLA.

PHILADELPHIA, Pa., April 22.— Word has just reached here of the arrest of three women and a man, all colored, being dragged from a Pullman car and lodged in jail for twenty-nine hours, after which they were released when a fine of $1,500 was paid by their employer, Samuel Dit. for a so-called charge of violating the Jim-Crow coach laws of the South while riding through Florida. The millionaire business man secured the Pullman car accomodation for his servants from Palm Beach to Philadelphia. The conductor of the train is said to have wired ahead to Fort Pierce warning the sheriff that Negro passengers were on the Pullman, resulting in their arrest and fines.

Jim Crow Car Laws—1925. General.

'JIM-CROW' LEGAL HISTORY MAKES RAILROAD INEQUALITIES UNLAWFUL

BY KARL F. PHILLIPS,

Of the Bar of the U. S. Supreme Court

Special to the New York News

During the period from 1880 to 1887, the definition of discrimination, in public opinion, changed slightly. From an absolute rule which almost amounted to distinction, it was softened, particularly with reference to public or common carriers and innkeepers, it being assumed that it was the duty of anyone engaged in such public callings to serve all patrons in the order in which they presented themselves, and to charge no one more than a reasonable rate. Such a public servant was not to pick and choose among patrons. Speaking generally, all were to be treated alike. Equal accommodations and facilities were to be furnished to all, without the exaction from any one of an excessive rate for services. Further than this, however, the common law duty of the public servant, at least from a discriminatory viewpoint, did not extend. He was at liberty to charge less than a fair rate to any one. Others it was held, could not justly complain of such favoritism, so long as charges to them were reasonable.

With increased railway transportation the managers of railway companies took advantage of this rule of the common law, and made especially low rates for those who gave them their exclusive patronage, as well as for those whom they chose for any reason to favor. Large shippers of commodities soon conspired with the railroads to secure lower rates on their shipments, to the prejudice of the small shipper.

As particularly affecting the colored citizen, were the various so-called "Jim-Crow" laws of many of the states, requiring a separation of the races during transportation. It had long since been found to be within the states' rights to enact such laws without fear of federal interference, and the railroads which operated in "Jim-Crow" states were not slow to curtail their expenses by furnishing the cheapest kind of equipment for the colored passenger.

Doubtless it was entirely beyond the view of the Congress that the colored citizen would be affected in any other than a general way when, in February, 1887, it established the Interstate Commerce Commission for the purpose of facilitating commerce by the adoption of regulations to make charges for transportation just and reasonable; to forbid undue and unreasonable preferences or discriminations; and to correct the inequalities of facilities furnished shippers and passengers. The principal inequalities, furnished, that had been brought to the attention of the Federal Government had involved, more than anything else, freight equipment and car shortage; but how vitally the discriminatory clauses of the Interstate Commerce Bill affected the colored citizen, and particularly, the colored passenger, was abruptly brought to the attention of the Interstate Commerce Commission in 1887, when two colored complainants filed charges against different common carriers. The facts in both cases were similar, both complaints being based upon the unequal facilities of cars for white and colored passengers traveling interstate. It was alleged, among other things, that the "Jim-Crow" compartment was full of smoke; that train hands and laborers, with their tools, sat in this compartment, that it was not provided with ice water; that the seats were not upholstered; that there was no carpet on the floor; that white passengers entered this compartment and drank whiskey from the glass used by the colored passengers for water; and that none of these conditions as to which complaint was made existed in the compartments for white passengers.

The Commission, after considering these cases at length, said:

"Passengers paying the same fare upon the same railroad train, whether white or colored, are entitled to equality of transportation, in respect to the character of the car in which they travel and the comforts and conveniences supplied.

"Equality of civil and political rights and the equal protection of the laws, with no discrimination except for misconduct or crime are subjects not open for discussion. They are fundamental principles of government and jurisprudence. Whoever attempts to deny these principles in their just application puts himself in antagonism to the established law of the land. A rule requiring separation of passengers invites officious interference to enforce it by meddlesome persons, who, impelled perhaps by strong prejudice and unmindful of the rights of others, are doubtless less considerate and law-observing in their self-appointed service than the authorized employees of the carrier in the reasonable dispatch of their duty. If, therefore, the rule is sought to be justified, it can only be done by showing that adequate protection is afforded to colored passengers and that the equality in separate cars is real and not delusive.

"It is not surprising that it appears to colored persons as irony to be put in a badly furnished car, popularly designated as a "Jim-Crow" car, of which only half is at their service, with liability to unnecessary annoyances, and to call that equality of comfort and accommodations. The defendant is responsible for the character of the car and the manner in which it is used. Reputable colored persons, therefore, have reason for complaining under such conditions of transportation as these cases have disclosed, that they are not furnished the just and equal accommodations for which they pay and to which they are entitled under the law.

"It is a lawful duty that a carrier, like the defendant, owes to the traveling public in carrying out its rule of furnishing separate cars to white and colored passengers on its line, engaged in interstate travel, to make them equal in comforts, accommodations and equipment, without any discrimination."

SOME "JIM-CROW" CAR LEGAL HISTORY

by Karl F. Phillips
of the Bar of the U. S. Supreme Court
(Preston News Service)

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Going North

MIDNIGHT! With each jolt or bump or jerk of the train, the movable piece of steel which covers the couplings and serves as a walk-way between the baggage car and the coach, made a rasping, discordant sound.

"Clut, clut; clang, clang."

The coach was divided into two sections; the front half next to the baggage car for Negro passengers while the rear half served as the smoking compartment for white men.

I occupied the seat nearest the door so that the fixed seat facing me could serve as a foot-rest and give me a possible chance for sleep.

The day before had been both busy and difficult; my limbs were weary and aching and yet I could not sleep. A light overcoat folded on top of my handbag served for my pillow, but the half sitting, half reclining posture was both awkward and uncomfortable.

"Clut, clut; clang, clang."

Occupying the seat opposite me was a young man clad in dirty overalls who slouched lazily with a half consumed cigarette in the corner of his mouth. The faded and grimy cap which he wore had been pulled down and partially hid his surly countenance. In the dim-lighted and foul-smelling car, I could see him watching me furtively and it annoyed me.

Once he looked away and I must have dozed.

Suddenly I remembered and awaking with a start, instinctively felt for my purse. It was safe.

(A few nights before, I had Jim-crowed on The Owl, the Southern Pacific fast train, between Dallas and Houston, and when the train reached its destination a colored passenger awoke to find that sometime during the night some one had stolen the shoes which he removed before "stretching out" for the night).

The train bumped and jerked.

"Clut, clut; clang, clang."

"Maybe I can count myself to sleep."

"One, two, three, four, five—"

"Clut, clut."

"Six, seven, eight—"

"Clut, clut."

"If the darned old 'cluts' only had some rhythm to 'em."

Another doze—a start and again I am awake.

"Why do white people object to colored people riding in Pullman cars anyway?" Social equality, I guess."

"Clut, clut; clang, clang."

"Dr. Moton is right when he says that colored people do not want to ride in Pullman cars because white people are there, but simply because, like other folks, they get tired when traveling and wish a good night's rest."

"Wish there was some way to get that over to the white man so he'd understand—"

"Clang, clang; clut, clut."

Another doze and a snatch of sleep.

The door slams and awakens me and I hear the porter saying:

"We'll meet number twelve at Oxley."

When I awake again the train is standing still. Outside I hear voices and in the distance the croaking of bull frogs. Presently a woman with an infant in her arms enters. She is followed by a child three or four years old and a tattered old man who carries a cheap, imitation-leather suit case and a flour sack which has been washed and is now stuffed with clothing and small bundles. As the woman improvises a bed for her babies on the coach seat and arranges the bundles, she and the old man talk in low, subdued tones. There is something pleading in her voice. From snatches of their conversation, I understand that the woman is going to Memphis—my destination—and from there is "going North." The old man is her father and as he leans over to kiss the children, I overhear him say:

"No, me an' the ole 'oman will stay hyar an' let you young folks go on. We's too ole now" —a pause—"things'll be better for you all. Give mah luv to Bob and Jim."

As the train pulled away from the station, I looked at the woman more closely. She wore a cheap wrinkled hat with faded flowers and an ill-fitting dress of multi-colored design. There was youth in her face but the bloom in her cheeks and the sparkle in her eyes were missing. In their place was a wearied, hunted expression. While she suckled her baby, she was at the same time trying to quiet the older child which was whimpering and whining. The warmth of the Mother-touch was lacking in all that she did. Her efforts seemed listless and mechanical.

Presently the baby was asleep and tucked away in the folds of her coat. Then she took the older child to the lavatory and I observed for the first time that there was only one lavatory in our half of the coach for both men and women. Again I dozed.

"Maybe she is running away from some community like Elaine—suppose the angry plantation owner with a mob should overtake us at the next station—wish the train would go faster. Are things getting better?—lynching has decreased—if all Negroes were law-abiding, prosperous citizens, conditions would be better —but—"

This time I must have slept soundly for when I opened my eyes the porter was shaking me and calling out "Memphis." It was morning.

Jim Crow Car Laws—1925. General.

W. B. & A. SUED FOR RUNNING JIM CROW TRAIN

As a result of the refusal to permit colored persons to ride on the "Bowie Special," an electric train run over the lines of the Washington, Baltimore and Annapolis Electric Railway Company direct from the terminal at Twelfth Street and New York Avenue, Northwest, to the Prince George's race track at Bowie, Md., three suits for $10,000 damages each were filed in the District Supreme Court last Monday against the Washington, Baltimore and Annapolis Electric Railway Company and J. G. Faircloth.

Reputations Injured.

The suits were brought through Attorneys Charles H. Houston and J. T. Settle, by Charles H. Flagg and Thomas H. R. Clarke, real estate agents, 810 F Street, Northwest, and J. T. Settle, lawyer, 613 F Street Northwest.

They allege that by reason of the discrimination against them on account of race or color, they were subjected to and did suffer deep humiliation and shame, great mental anguish, and their reputations as reputable and respected citizens were seriously injured.

They say that about April 1, 1925, an advertisement of the "Bowie Special" was inserted in local papers and in accordance with it they made their reservations on it for April 4, personally purchased their tickets at the general ticket office at the terminal and presented themselves shortly before train time to board the train as passengers.

When they attempted to board the train, they allege that the agents of the defendants unlawfully discriminated against them and publicly embarrassed, humiliated, insulted and intimidated them, and excluded them from the train, repudiated their contract and refused to transport them in breach of their obligation to them as common carriers. This was done, they say, solely on account of the fact that they are persons of Negro blood and descent.

Discrimination Prohibited.

They further allege that the Washington, Baltimore and Annapolis Electric Railway Company as common carriers of passengers for hire was bound to receive them for carriage without discrimination.

They say that it is expressly prohibited in its business from making or enforcing any regulation excluding Negroes or persons of Negro blood from any car, which it maintains, operates, manages or controls.

Two sections of the laws governing common carriers by railroads in the District of Columbia are cited in their declarations. One provides that there shall be no regulation excluding any person from any car on account o color.

The other section provides that the provision prohibiting any exclusion from any car on account of color already applicable to the Metropolitan Railway Company shall extend to every railroad in the District of Columbia.

THREE $10,000 DAMAGE SUITS FILED AGAINST WASHINGTON, BALTIMORE AND ANNAPOLIS ELECTRIC RAILROAD COMPANY

Washington, D. C., April 7.—Three suits for $10,000 damages each will be filed this week in the District Supreme Court against the Washington, Baltimore and Annapolis Electric Railroad Co., as a result of its refusal to permit colored persons to ride on the Bowie Special, a direct train from the Terminal at Twelfth street and New York avenue, northwest, to the Prince George race track at Bowie, Md. 4-9-25.

The suits will be brought by Thomas H. R. Clarke and Charles H. Fagg, real estate dealers with offices at 810 F street, northwest and J. T. Settle, an attorney, with offices at 613 F street, northwest.

Besides the Washington, Baltimore and Annapolis Electric Railroad Company, J. G. Faircloth, an employee of the company, will be named as a defendant.

Mr. Settle states that last Saturday they purchased three tickets for the "Bowie Special" from Washington to Prince George's Park, Md., and presented themselves to board the train. The agents of the company, he says, refused to permit them to board the train and advised them that colored people were not allowed to ride the "Bowie Special."

Employees of the company, Mr. Settle says, barred the entrance to the train and threatened to have them arrested if they attempted to board the train. A refund of their money was offered, but they declined and kept the tickets, which will be used as exhibits in the suit to be filed this week.

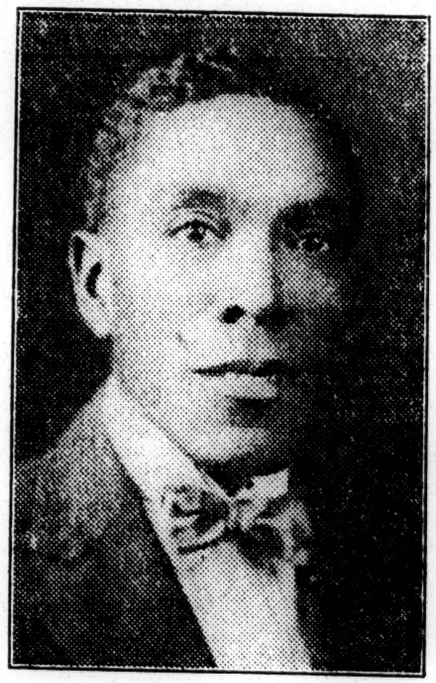
In their bills of complaint they will declare that because of this discrimination on account of race or color, they were subjected to and suffered great humiliation and shame, great injury in peace of mind and mental anguish, and their nervous systems were shocked and their reputations seriously injured and impaired, and will ask the court to award them each the sum of $10,000 as actual and compensatory damages.

Jim Crow Car Laws — 1925. Georgia.

Atlanta J. C. Car Company Losing Money, Starts Fight To Control Negro Bus Lines

(Copyright by J. E. Gardner)

Atlanta, Ga.—Atlanta has a colored bus line of 16 cars, each holding from 17 to 21 passengers. These busses are owned and operated by colored men for transportation of race passengers. The system represents quite an investment and has for more than a year been doing fine business. Busses are operated on a seven cents fare.



J. E. GARDNER

The busses cover all sections inhabitated by our people and render a service that street cars do not. All classes of our people ride in these busses and find them most satisfactory for quick delivery to and from work. Particularly during rush hours in the morning and evening. Many people prefer to ride in busses because of freedom of sitting where one likes in preference to taking seats in rear of street cars.

If the city council has its way it will deprive Atlanta Negroes of the right to operate their bus line and place all transportation under control of the Georgia Street Railway Company. It appears that the busses take too much trade from car lines to leave them in healthy condition. And therein lies a tale. Busses are slated to go—But will they.

Representative colored citizens in a mass meeting last week voted to wait on the city council and have a hearing. They had it on Friday of last week. Several men of standing including Dean S. H. Archer, of Morehouse College, Cornelus King, the rent man, and J. A. Green, of the Pilgrim Life and Health Insurance, impressed the councilmen in pointed arguments favoring the busses of our group.

While city council seems to be against any operation of motor vehicles either white or colored not controlled by street car company, race men and women are equally sure that their busses must keep running.

They have engaged the best lawyers in the city, ex-Mayor Kee, to take their fight to the highest court in the State. As the situation stands hte bussess will run until a injunction is filed by lawyers—then they will run some more. The fight is on. The colored people have the money best lawyers in the State and expect to win their case. Here's hoping.

AN OPEN LETTER HON. L. A. DOWNS, PRESIDENT CENTRAL OF GEORGIA RAILWAY

(By Cyrus Campfield, Director, Social Service Department, Guaranty Life Insurance Company.)

A few Saturdays ago while enroute to Savannah from Macon over the Central Railway, we happened into the Smoker and discovered a number of Negro employees of the Central discussing impassionately the worth and work of the present President of the "Right Way" System. Among other interesting things, these loyal Negro employees emphasized the personal interest President Downs is taking in the general welfare of all Central employees—white and colored. Especial mention was made of President Downs' Monthly Letter to Employees in which he urges from time to time the important matter of Central employees practicing Thrift, Owning Their Homes, etc. One employee remarked that during his long connection with the Central, President Downs is the first Executive who ever took any personal interest in the employees to the extent of writing them monthly and urging that they save their money, purchase homes and become desirable citizens. While securing these slants on the Central's human President, we made some other observations on this same trip, and in view of the splendid remarks made about you and your open-mindedness to Constructive Criticism and Suggestions, we concluded to direct your attention, President Downs, to these additional observations, viz, the paramount need of Negro Porters on the Savannah-Macon Division of the Central.

During the past few years, the Central has dispensed with the services of Negro Porters on the Savannah-Macon Division, and the white Flagman substituted for courtesy and service to Negro passengers. On this Saturday trip in question, there were Negro women passengers with children and baggage but the white Flagman on duty failed to take them in the Central's equation of courtesy and service. But, at a certain stop, a number of rank foreigners received the utmost attention at the hands of the white flagman. We are not decrying the foreigner President Downs, but it is painful to note the utter disregard for the proper consideration of Negro passengers who are truly American citizens and who are regular patrons of the Savannah-Macon Division, We are willing to grant that the white flagman desires to render service to Negro passenger, but for fear of certain definite Southern traditions, he is forced to see Negro women passengers, crippled and blind Negro women go unassisted.

There is but one relief to this trying situation and that is assignment of Negro Porters on the Savannah-Macon Division. The white flagman is impossible as far as showing Courtesy and Service to Negro passengers is concerned. Your humble, yet loyal section hands, bridge workers, etc., say you are considerate. Therefore, in the name of a large group of suffering Central passengers, we are asking that you give us back the Negro Porter who represent the essence of Courtesy and Service—the Negro Porter who delights in rendering unselfish service to all passengers who use the "Right Way" between Savannah and Macon. Do this, President Downs, in the names of a patient, long-suffering, forbearing, discriminated against group of Central passengers.

DOES SIGHT OF JIM-CROW CARS AND JIM CROW ELEVATORS HELP ONE TO HEAR A CALL?

(By Jesse O. Thomas)

It has been rumored in various sections, both North and South for the past six weeks or two months, that Dr. Earnest Hall, pastor of Liberty Baptist church of Atlanta, has been called to a prominent Baptist church in Cleveland, Ohio. Whether Dr. Hall has "Heard the Call" could not be ascertained from his congregation or from his official board. "Rumor" persists in claiming that Dr. Hall is soon to depart from these parts for shores to take up residence in the "Buck-Eye State."

This rumor has occasioned a great deal of concern among the friends of Dr. Hall both white and black, because of the place he has occupied in the civic and religious life of Atlanta and the State of Georgia. We should be loath to give him up, and to do so if at all, under protest.

We had just settled down from a state of anxiety and uneasiness that was occasioned by the report being circulated that Dr. Peter James Bryant had been called to "Destroyit" way up in Michigan. Less than a fort night ago it officialy came that Dr. Russell Brown, pastor of the First Congregational church for the past four years has tendered his resignation and accepted work with the Mt. Zion Congregational church, Cleveland, Ohio. This news came as the last "straw that broke the Camel's Back," and we are now wondering who of our prominent divines will "Soon hear The Call" and respond to it.

The going away of so many of our prominent men has had stimulated speculation in certain quarters respecting all of the influences surrounding their going. If other communities recognize in the men of Atlanta and Georgia possibilities, ability experience and training that fit them in a special way for occupying positions of leadership in other sections, then Atlanta and Georgia ought to be congratulated upon serving as a training and equiping station for men who have ability and capability of developing into real outstanding leaders. The other communities ought to feel grateful to Atlanta for this contribution to their general welfare. Atlanta should be congratulated that her favorable sons are sought with such persistence by others.

If the foregoing is true then let us thank God and take courage as we go forth to train other men and women for leadership. There is, however, another rumor afloat to the affect that the constant appearance and ever present "Jim Crow Cars," the "Jim Crow Elevators" and the "COLORED THIS AND THE COLORED THAT" gives keenness to the ear to "Hear the Call" to other climes. Then if the latter is true we will have to hasten to withdraw our congratulations.

If the outstanding men and women of the race are leaving Georgia because they receive better treatment, a larger measure of justice and fair dealing in other communities or commonwealth, then it is very unfortunate for Atlanta and Georgia, as well as many other cities and states. We pray for the time to come when Atlanta and Georgia, as well as many other states will become so fair and impartial in dealing with all races that no one will want to leave them on account of not receiving a square deal.

The constructive influences of both race elements should not be content until there is as much justice, fairness and impartiality in dealing with the race and individuals in Georgia as there can be found anywhere else in the world.

Jim Crow Car Laws— 1925 Indiana.

IND. LEGISLATURE GETS JIM CROW CAR BILL

Indianapolis, Ind., Jan. 16—Under Ku Klux leadership, the 74th Indiana Assembly is sponsoring a bill to provide Jim Crow cars on all railroads and street railways in this state.

Prejudice has been growing in this section against Negroes since the migration. Separate schools have sprung up in many towns where before children of all races went to the same school.

If the bill should pass, Indiana will be the first of the northern or western states to have jim crow street cars. The law will apply as well to motor busses and steamship lines.

JIM-CROW WILL BE IN-VOKED IN INDIANA

INDIANAPOLIS, Ind., Jan. 17.—The people of Indiana are facing one of the most critical situations in its history. The news of the action of the 74th Indiana Assembly in sponsoring a bill to separate the races on all public carriers, including street cars, tractions, motor busses and trains, came as a bolt from the blue sky.

Indiana is one of the strongest K. K. K. states in the Union and it seems that the fate of the people is in their hands. Not expecting any Reconstruction legislation in this enlightened time the bill has caught the people all unawares.

To the Republicans this is a stinging rebuke and confidence in their party must be shaken to the core. The papers of Indianapolis are rising up in their wrath to fight the bill with tooth and nails, but it will take deeds and not words to meet a situation of this kind.

Jim Crow Car Laws - 1925 Kansas.

6 WEEKS IN OKLAHOMA; 18 HOURS IN JAIL!

EDITOR OF PLAINDEALER EXPERIENCES INCARCERATION WHILE AT SAPULPA

On our business trip thru Oklahoma, we were arrested and thrown in jail, at Sapulpa, Sunday Feb. 22, at 5 P. M., and remained until 10:45 A. M., Feb. 23rd, because we stood up for human rights and the rights of our people. On Sunday afternoon about four o'clock, we purchased a ticket from the Union Traction Interurban Co., from Tulsa to Sapulpa, a distance of about 14 miles. There were about fourteen other colored people who purchased tickets to the same place. They have a rule that the colored people occupy the rear seats and they have a sign on one side of the car which reads "Negroes." This space takes up about four seats, and seats about eight people. After we boarded the car we filed in and occupied seats in the rear as this was the place designated for colored people to occupy. This is a coach about the length of a passenger coach with a small partition in front used as a smoker. After the conductor took up our tickets, he said nothing about the space we occupied until we had gone some four or five miles and a crowd of white people came on and the front end, which they occupied, became crowded. The conductor came back and said, "You colored people have to get up and give room for these white people." One colored man who sat on the opposite side of us immediately jumped his seat, in a rabbit like fear and asked where he should sit. The conductor pointed him to the smoker, which he made haste to occupy. Two colored women got up and made unnecessary remarks concerning about what the white people are going to do when they get to Heaven and meet the colored people and have to associate with them there. Had they kept their seats and shown resentment in that manner we would have been much satisfied. When we arrived at Sapulpa and came out of the car we were met by two officers who threw their guns on us as tho we were bandits, and searched us. They then took us to the city jail and there we remained until the next morning. We were taken up to the Police Judge and were told that our case would be turned over to the county for prosecution. We were then placed back in the cell and a lawyer was sent to us. In a few moments afterwards Prof. W. E. Day, Principal of theBooker T. Washington School, came in with Dr. Napier, and said he was sorry that he had been out to Ft. Scott, Kan.and was in a wreck or else he would have seen that we had not stayed in jail that night.

We made arrangements with the lawyer to write up a bond and insist on the County issuing the complaint. Prof. Day and Mr. Hicks signed the bond before the lawyer returned. Then Chief Police Morey came in and informed us that he would not hold us and told us that he was sorry of the transaction, and said that any time anything happened while we were in town to see Prof. Day and he would see that no harm would come to us. Afterward we met the attorney and informed him what had happened. We were sorry this complaint was not issued so we could test this matter out in the courts and take the rabbit light fear out of our race especially those who will not stand up for their constitutional rights. However, we will look after this matter in another direction and see if we can get action in the courts so these narrow-minded conductors will stop intimidating our people who travel on interurbans and street cars. Such necessary actions will be taken that we hope will iron this matter out once for all.

If it were not for ignorant conductors and degenerate whites no trouble of this kind would occur on street cars, traction lines or elsewhere. The better class of colored people and the better class of white people are on friendly terms and get along without trouble. As soon as the low element of the white race, which causes trouble of this kind, is eliminated, no further cases will occur.

—The Editor.

Jim Crow Car Laws - 1925. Kentucky.

Come Jim-Crow Car Legal History

By Karl F. Phillips,

Of the Bar of the United States Supreme Court.

(Preston News Service.)

During the period from 1880 to 1887, the definition of discrimination in public opinion, changed slightly. From an absolute rule which almost amounted to distinction, it was softened, particularly with reference to public or common carriers and innkeepers, it being assumed that it was the duty of anyone engaged in such public callings to serve all patrons in the order in which they presented themselves, and to charge no one more than a reasonable rate. Such a public servant was not to pick and choose among patrons. Speaking generally, all were to be treated alike. Equal accommodations and facilities were to be furnished to all without the exaction from any one of an excessive rate for services. Further than this, however, the common law duty of the public servant, at least from a discriminatory viewpoint, did not extend. He was at liberty to charge less than a fair rate to any one. Otherwise, it was held, could not justly complain of such favoritism, so long as charges to them were reasonable.

With increased railway transportation,. the managers of railway companies took advantage of this rule of the common law, and made especially low rates for those who gave them their exclusive patronage, as well as for those whom they chose for any reason to favor. Large shippers of commodities soon conspired with the railroads to secure lower rates on their shipments, to the prejudice of the small shipper.

As particularly affecting the colored citizen, were the various so-called "Jim-Crow" laws of many of the states, requiring a separation of the races during transportation. It had long since been found to be within the states' rights to enact such laws without fear fear of federal interference, and the railroads which operated in "Jim-Crow" states were not slow to curtail their expenses by furnishing the cheapest kind of equipment for the colored passenger.

Doubtless it was entirely beyond the view of the Congress that the colored citizen would be affected in any other than a general way when, in February, 1887, it established the Interstate Commerce Commission for the purpose of facilitating commerce by the adoption of regulations to make charges for transportation just and reasonable; to forbid undue and unreasonable preferences or discriminations; and to correct the inequilities of facilities furnished shippers and passengers. The principal inequalities, furnished, that had been brought to theattention of the Federal Government had involved, more than anything else, freight equipment and car shortage; but how vitally the discriminatory clauses of the Interstate Commerce Bill affected the colored citizen, and particularly, the colored passenger, was abruptly brought to the attention of the Interstate Commerce Commission in 1887, when two colored complainants filed charges against different common carriers. The facts in both cases were similar, both complaints being based upon the unequal facilities of cars for white and colored passengers traveling intestate. It was alleged, among other things, that the Jim-Crow compartment was full of smoke; that train hands and laborers, with their tools, sat in this compartment; that it was not provided with iscecularly designated as a Jim Crow car, water; that the seats were not up-of which only half of their service holstered; and there was no carpet with liability to unecessary annoyon the floor; that white passengers ances, and to call that equality of entered this compartment and drank comfort and accommodations. The whiskey from the glass used by the defendant is responsible for the charcolored passengers for water, and acter of the car and the manner in that none of these conditions as to which it is used. Reputable colored which complaint was made existed persons, therefore, have reason for in the compartments for white pas- complaining under such conditions of sengens. transportation as these cases have disclosed, and they are not furnished

The Commission, after considering the just and equal accommodations these cases at length, said: for which they pay and to which they

"Passengers paying the same fare are entitled under the law. upon the same railroad train, "It is a lawful duty that a carrier, whether white or colored, are entitled like the defendant, owes to the trav-to equality of transportation, in re- eling public in carrying out its rule spect to the character of the car of furnishing separate cars to white in which they travel and the comforts and colored passengers on its line, and conveniences supplied. engaged in interstate travel, to make

"Equality of civil and political them equal in comforts, accommoda-rights and the equal protection of tions and equipment, with any dis-the laws, with no discrimination ex- crimination."

cept for misconduct or crime are sub-

jects not open for discussion. They **DR. BOND MAKES TIMELY PRO-**

are fundamental principles of govern- **TEST TO RAILWAY COMPANY.**

ment and juriprudence.

"Whoever attempts to deny these principles in their just application puts himself in antagonism to the establish law of the land. A rule requiring separation of passengers invites officious interference to enforce it by meddlesome persons, who impelled perhaps by strong prejudice and unmindful of the rights of others are doubtless less considerate and law-observing in their self-appointed service than the authorized employes of the carrier in the reasonable dispatch of their duty. If, therefore, the rule is sought to be justified, it can only be done by showing that adequate protection is afforded to colored passengers, and that the the equality in separate cars is real and not delusive.

"It i not surprising that it appears to colored persons as irony to be put in a badly furnished car, popularly designated as a Jim Crow car, of which only half of their service with liability to unecessary annoyances, and to call that equality of comfort and accommodations. The defendant is responsible for the character of the car and the manner in which it is used. Reputable colored persons, therefore, have reason for complaining under such conditions of transportation as these cases have disclosed, and they are not furnished the just and equal accommodations for which they pay and to which they are entitled under the law.

"It is a lawful duty that a carrier, like the defendant, owes to the traveling public in carrying out its rule of furnishing separate cars to white and colored passengers on its line, engaged in interstate travel, to make them equal in comforts, accommodations and equipment, with any discrimination."

Mr. James P. Barnes,
Pres. Street Railway Co.,
314 W. Jefferson St.,
Louisville, Ky.

Dear Sir: As director of the Inter-racial Commission, I am writing to call your attention to two or three serious conditions confronting the Negroe sof Louisville who must avail themselves of the use of the street car sof the city of Louisville.

Business has taken me to the Interurban station, Third and Jefferson, on several occasions recently and while there $ have found the electric fans in the white general waiting room and white ladies' waiting room running. The fan in the white general waiting room set aside for colored people seems to be out of order—at least it was not running.

Another serious ground for complaint is the lack of facilities for colored people on your Interurban lines. The following is an illustration:

Some time ago I was on a car coming into the city from Anchorage or Shelbyville, I am not sure which, when the little "Jim Crow" arrangement for colored people containing eight or ten seats and the aisle were full and the colored people overflowing in the front part of the compartment for white people. While there were a number of seats unoccupied in the white coach, the conductor would not allow the colored people to occupy those seats though they were allowed to stand by those unoccupied seats. Of course this is a flagrant violation of the law which colored people to say nothing of its violation of the spirit of fair play and Christian dealing.

Aside from the physical discomforts of these inequalities herein complained of, and even more serious is the effect upon the lives and spirits are thus discriminated against in vio- of the colored people themselves who lation of the law which calls for equal accommodation—a manifestation of the lack of the sense of justice and fair play which the American white people are wont to claim for themselves. The fact that the attention of the authorities of our city railroads must be called to these abuses is in itself a source of irritation and humiliation and brings the segregation laws into contempt in the minds of the colored people who believe that they were enacted solely with colored people in mind and that there wa sno purpose on the part of those who wrote the laws into the statute books, or on the part of those who are supposed to enforce them or to enjoy their benefits, to see to it that equal accommodations for colored. people are provided.

I am sorry it has become my painful duty to call these abuses to your attention. With cordial good wishes, I am,

Yours truly,

JAMES BOND,
Director Inter-Race Committee.

Jim Crow Car Laws—1925. Louisiana.

COLORED PASSENGERS AND NEW ORLEANS BUSSES!

According to a news item that appeared in the New Orleans department in last week's Informer, the New Orleans Public Service Company, which operates the rapid transit system and bus lines in the Pelican City, does not discriminate against colored passengers on its intra-city busses like the Houston Electric Company does in "Heavenly (?) Houston."

Houston Informer

The New Orleans traction company provides seats on all its busses for colored passengers and not a solitary clash has occurred between the two races on these busses in the Louisiana metropoli, despite the fact that its colored population exceeds the colored population of Houston.

3-21-25

It will be borne in mind that New Orleans also has the damnable and diabolical "jim-crow" law, yet between bus "jim-crowism" a la New Orleans and bus outlawry and discrimination a la Houston, we prefer the New Orleans species as the lesser of the two evils and as being more in line with the proper attitude a public service corporation, operating common carriers, should assume towards all the riding public.

The Informer seems to be almost alone in its fight for colored citizens to ride on these Houston busses, but this paper is right, knows its ground and will continue this fight and agitation until the local traction company complies with the law in every detail in providing accommodations on these busses for colored passengers.

There are members of both races in this city who believe as The Informer does in this respect, but they are as mum as a clam when they should speak right out in the meeting and contend for what they know is right, proper and fair.

Surely, if colored people in New Orleans, just a few hundred miles from Houston, can and do ride in these busses, the colored people of this city should be given the same consideration and accommodations.

The Texas law is very plain and specific regarding this matter, in that it makes it mandatory and obligatory upon all corporations operating common carriers in the state to provide **separate,** but EQUAL, accommodations for the two races.

If the Houston Electric Company is trying to take advantage of the separateness of the clause and evade the written law by refusing to provide accommodations in their busses for colored passengers on this score, why does this same company permit both races to ride in the same street cars, many of which are smaller than these busses?

If the local traction company can give orders to its operators that colored people can not ride on and in these busses, what prevents this public service corporation from also issuing orders that colored people can not ride on certain street car lines?

As a matter of fact, if the Houston Electric Company can discriminate against citizens on the ground of color when it comes to riding in these intra-city busses, why can not the company pursue a similar policy on its street cars; and what assurance have we that the company will not assume such a high-handed, autocratic and discriminatory attitude in this respect ere long?

Then, again, if the Houston Electric Company, a public service corporation, can with impunity and immunity discriminate against citizens because of racial affiliations, what will prevent the other public service utilities from doing likewise?

Suppose the Southwestern Bell Telephone Company, the Houston Lighting and Power Company, the Houston Gas and Fuel Company and the city water department should follow the suit of the street car company (and they have as much right to discriminate against patrons and prospective patrons as the Houston Electric Company), it would not only work a hardship upon and place the citizens thus discriminated against at a great disadvantage, but such a discriminatory policy on their part would do the community irreparable injury and give the city quite a bit of unfavorable and adverse advertising, and involve these public service corporations in divers and sundry legal tilts and damage suits.

Yet, this is just what the Houston Electric Company is doing, and the city officials, inter-racial commission, public-spirited citizens and commercial interests are sitting supinely by and condoning, aiding, abetting and encouraging a public service corporation to openly, wilfully and maliciously violate and trample under its corporate foot the written laws of the Lone Star commonwealth and municipality!

Let them all beware, for they are playing with fire! Selah!

NEGROES RIDE BUSSES IN N. O.; NO ILL EFFECT

New Orleans, La., March 12.—The New Orleans Public Service Company, which operates the local street car system, has ordered a number of new busses which will be put in use as soon as they arrive. The company has in operation now a number of large commodious busses on which the same fare is charged as on the street cars, transfers being issued from them the same as from and to any connecting lines.

Houston Informer 3-14-25

Colored passengers use the busses under the same conditions as the street cars, being seated from the rear forward. It is not unusual to find a car some times almost completely filled with colored passengers who are seated even with white passengers standing.

Street cars are operated here under the state jim-crow laws with about as little friction as anywhere in the Southern states. On the whole, the white people are more considerate than in most places and it is nothing unusual to see even white ladies get up from seats, when colored passengers are standing, and move forward so the colored people can be seated. It is not uncommon to see colored men voluntarily move backward in order to give white passengers seats.

Street car conductorse, either because of instructions from the company or with a desire to be fair, in most instances, when the cars are entering the terminals, regulate the signs according to expected crowds. Passengers are permitted to move signs backward and forward when vacancies are observed and in cases where it is necessary to have the conductors act, invariably they do so in a courteous manner, whether it is to ask either a white or colored passenger to respect the seating needs of the other race.

Passengers are all loaded from the rear of the cars and it is seldom any unpleasant incidents arise.

Most Southern cities could well afford to learn a lesson from New Orleans' handling of a situation which causes more ill feeling than any other one thing in the South. Any street railway system could with profit learn the method the local company uses in selecting conductors.

Algiers' Ferry Line Starts New Jim-Crow Trick

(Staff Special.)

New Orleans, La., Nov. 25.—Just when the civic pride of the colored people of this city was being aroused over the inauguration of the new ferry service between the city proper and the Algiers suburb, which began Sunday when two fine commodious double-deck ferries were placed in service, their enthusiasm was killed when the first passengers stepped on the new boats to find that someone had decided that the boats should have segregated portions for the white and colored passengers.

Houston Informer 11-28-25

The ferry boats cross the Mississippi river, running from the foot of Canal Street. Since time immemorial no jim-crow policy has obtained on the boats and the colored passengers were hurt and shocked to find this new segregation.

As proof that the one responsible not only wished to make sure that segregation was inaugurated but wished to add insult to injury, a distinction was nade in marking the lavatories. On one set the signs read, "For White Ladies" and "For White Gentlemen." On the other the prejudice of the author of the scheme is seen in the signs for they read, "For Colored Men" and "For Colored Women."

When stock was being sold to purchase the new ferry boats the colored people of Algiers were solicited to buy. Several of them bought respectable size blocks of stock in the company and now they find that their own money was used to start a new jim-crow scheme.

On the New Orleans side of the river the approach to the boats is over a fine concrete double-deck causeway. The automobiles take the lower deck and without interfering with the movement of the pedestrians go right on the boats while the passengers go to the upper decks.

Jim Crow Car Laws - 1925. Maryland.

SOUTHERN ROAD MUST HAUL NEGRO SHOWS

Interstate Commerce Commission Makes Sweeping Ruling

RULING CONSIDERED EXTREMELY FAIR

No Discrimination Based On Color Of Private Car Owners To Be Allowed

The Interstate Commerce Commission recently ruled that "shut-out" contracts by railroads were illegal. The investigation was made after a story was circulated that a "shut-out" contract had been given to the Ringling-Barnum-Bailey outfit by the Erie road, which would have prevented any other than the Barnum outfit being hauled.

The Commission ruled that if the Erie road carried the Barnum show it must carry all others. The road cannot discriminate. Carriers handling one show and not another are guilty of discrimination, the commission opined.

Refused Negro Shows

This point was settled because a southern road had refused to move the Pat Chappelle Show because Chappelle was a Negro. The road contended that the commission had no jurisdiction as the Chappelle Shows were traveling in private cars.

Text of Decision

The decision rendered was: "The carrier may, no doubt, refuse to carry certain classes of equipment, but it may not distinguish between private cars OWNED BY NEGROES AND THOSE OWNED BY WHITES. Nor may it discriminate between private cars that are owned by Armour and Company and private cars of the same class owned by any otther firm."

Verdict Pleases Showmen

The sweeping verdict is hailed by showmen as one of the most just ever issued by the commission. The Pat Chappelle shows are one of the oldest and perhaps one of the best equipped owned by Negroes in the world.

Jim Crow Car Laws—1925. Mississippi.

JACKSON[illegible] HERALD
MARCH 7, 1-25

COLORED PEOPLE GET CAB SERVICE

Company Announced to Begin Operations March 14

An announcement of much interest to our colored citizens is made by Your Cab Company in The Herald this morning calling attention to the establishment of a high class cab service for their exclusive convenience and comfort.

The service will go into effect on today week, Saturday, March 14, and the management guarantees not only the best equipment possible in the way of attractive, comfortable vehicles but the best of service with capable colored drivers and a register system to record and receipt fares.

This latest addition to the convenience of our colored citizens is sure to meet with their appreciative approval and it is safe to predict their liberal patronage from the day on which the service is inaugurated.

Jim Crow Car Laws—1925 Missouri.

ST. CHARLES NEGROES WIN FIGHT FOR RIGHTS TO RIDE ON BUSSES

ST. CHARLES, Mo., Oct. 7—A group of citizens, with a petition of eighty names appeared at the City Council Meeting Monday night and protested against the present Buss Line refusing to allow colored passengers to ride on their Busses. Mr. Lowe, manager of the Buss Line was present. The colored people argued that as tax payers and citizens they had a right to ride on the busses. It was finally agreed to remove the restriction placed upon the busses.

Jim Crow Car Laws—1925

New York.

VILE SOUTHERN SEPARATE CAR SYSTEM SCORED

President Ware of the Cincinnati Division Complains of Bad Conditions of Travel Between Cincinnati and Atlanta—Better Service Promised by Railroad Official

The following correspondence between Mr. William Ware and the authorities of the Southern Railroad, concerning conditions of travel between Cincinnati and Atlanta, to which Negro passengers are subjected, explains itself. But Mr. Stanfield draws entirely upon his imagination when he solemnly affirms that "it is our earnest desire to see that the colored travel on our trains is properly taken care of with as good accommodations as we furnish the white travel." It may be Mr. Stanfield's "desire," but it has never been a fact on any Southern railroad since the separate car laws went into operation, and it is not a fact now, and we do not believe it will ever be a fact, but a studied outrage, as long as the "separate but equal accommodations" laws remain in force. Graded first, second and third class passenger service, such as they have in Europe and used to have in North Carolina, is the only logical remedy for the existing unjust and infamous system.—Editor of The Negro World.

Cincinnati, O., May 27, 1925.

Mr. J. B. Munson,
Vice-President Southern Railway,
Southern Railway Building,
Sycamore at 4th Street,
City.

Dear Sir: I am forced to call your attention to conditions which prevail on your great road between this city and Atlanta, Ga. I frequently travel between Cincinnati and Southern cities and have occasion to use your road. Between here and Atlanta, it seems, your company cannot provide sufficient accommodation for the Negro people who travel, with the result that great hardship is caused them, both coming and going. This is not said on the strength of what I have heard but on what I have seen and experienced. The last four trips I have made to Atlanta were marked by such inconvenience. A number of passengers had to stand for a considerable distance. Nor is that all. The coaches are decidedly unkempt. They could be much cleaner, even for colored travelers.

If we had in this country the miserable caste system that prevails in Asia or some European lands where travel is first, second or third class, there might be some reason for this condition. But we haven't, and besides the Negro pays as much as the white man for every mile he travels.

Coming up from Atlanta Tuesday I left there at 4:10 on No. 6. I could not help but observe the hardship that seemed forced upon—I regret that I must do violence to the language, but it is literally true—the Negro travelers. The coach was full and the toilets were unclean. The whole atmosphere savored of the prison, as though Negroes were inferior creatures and merited no other treatment.

At Oakdale, Tenn., I believe, fou adults and two children got aboard. They had to stand all the way, I suppose, for most of the passengers were bound for Detroit, Chicago, Cleveland and other Northern cities.

Twelve persons were left to take No. 44. I was curious to see whether this was the only train so crowded and ill-conditioned and waited for No. 44, which I bearded for the remainder of the journey and I saw it was no better.

I would appreciate a reply that would throw some light on this matter, for the injustice of these conditions is manifest to any one who travels that route. I have heard that the L. & N. gives better service and I am tempted to persuade all my friends who travel South to use that road.

Very truly,
WILLIAM WARE,
President Division.

Southern Railways System, Lines West
Cincinnati, Ohio, June 17, 1925.

Mr. Wm. Ware, President Cincinnati Division No. 146, Universal Negro Improvement Association, 330 George Street, Cincinnati, Ohio.

Dear Sir: Your letter of May 27, addressed to Mr. M Munson, vice-president, relative to certain conditions which you state you found on one of our trains on your recent trip from Atlanta to Cincinnati, has been referred to me for reply.

I have made an investigation of the conditions on Train 6, May 26, and find that the coach assigned to colored travel on this particular date was somewhat crowded, principally due to there being a total of 27 colored infants on the train, all of whom were too young to pay fare. These children were eating and throwing food on the floor, which resulted, to a certain extent, in the uncleanliness of the car to which you make mention.

However, in order that there may be no question about our trains in the future carrying ample equipment to properly care for the travel and insure all colored people being provided with seats, I have directed that extra equipment be placed on Train 6, as well as several of our other trains, and am much obliged to you for bringing the matter to my attention, as it is our earnest desire to see that the colored travel on our trains is properly taken care of, with as good accommodations as we furnish the white travel.

Yours truly,
J. H. STANFIELD.

Crowley La
Signal

NOV 9 - 1925

NEGROES ON PULLMANS.

The South's right to handle the colored railway passenger service problem in its peculiar way was upheld—as much as such an attitude could be upheld—when the investigator of the Interstate Commerce Commission, after an inquiry into certain complaints by negroes concerning alleged discrimination against them in the matter of pullman accommodations in the South, recommended that charges against the railways and against the Pullman Company be dropped.

Sensible negroes—and this includes by far the majority of the race in the South—have learned that it as foolish to run counter to the opinion of Dixie in this regard, as to attempt the ascent of Niagara Falls. It is not a question of whether or not there is any constitutional basis for the Southern attitude, but a calm consideration of the fact that Dixie is bound by ties of blood to the policy of segregation.

It is with some alarm that Southern people, traveling in the South on trains running from New York to New Orleans, have seen negroes in the same pullman cars with them. This does not happen every day, but it is an occurrence frequent enough to afford those contacts which stir up feelings that otherwise might rest behind the barrier that Southern customs have erected between the two races, barriers which may be penetrated to permit ordinary business relations and to allow mutual respect, but which stiffen at the suggestion of social contacts.

The solution of the traveling problem will be found, not by ing white and colored people in pullman cars, but by providing for the negro, able and willing to pay, the same class of service in a separate car or part of a car reserved for those of his race. There would seem to be no reason on a transcontinental train, for example, there should not be a few berths at one end of the colored coach. If there are no pullman passengers in this coach, it may be used entirely for regular travel accommodations. Dining car service would likely be by service to the car or by some other means through which the negro could have the comforts of modern travel without sacrificing the pleasure of the white man, or without introducing unpleasant relations.

Jim Crow Car Laws – 1925

New York.

VILE SOUTHERN SEPARATE CAR SYSTEM SCORED

President Ware of the Cincinnati Division Complains of Bad Conditions of Travel Between Cincinnati and Atlanta—Better Service Promised by Railroad Official

The following correspondence between Mr. William Ware and the authorities of the Southern Railroad, concerning conditions of travel between Cincinnati and Atlanta, to which Negro passengers are subjected, explains itself. But Mr. Stanfield draws entirely upon his imagination when he solemnly affirms that "it is our common desire to see that the colored travel on our trains is properly taken care of with as good accommodations as we furnish the white travel." It may be Mr. Stanfield's "desire," but it has never been a fact on any Southern railroad since the separate car laws went into operation, and it is not a fact now, and we do not believe it will ever be a fact, but a studied outrage, as long as the "separate but equal accommodations" laws remain in force. Graded first, second and third class passenger service, such as they have in Europe and used to have in North Carolina, is the only logical remedy for the existing unjust and infamous system.—Editor of The Negro World.

Cincinnati, O., May 27, 1925.

Mr. J. B. Munson,
Vice-President Southern Railway,
Southern Railway Building,
Sycamore at 4th Street,
City.

Dear Sir: I am forced to call your attention to conditions which prevail on your great road between this city and Atlanta, Ga. I frequently travel between Cincinnati and Southern cities and have occasion to use your road. Between here and Atlanta, it seems, your company cannot provide sufficient accommodation for the Negro people who travel, with the result that great hardship is caused them, both coming and going. This is not said on the strength of what I have heard but on what I have seen and experienced. The last four trips I have made to Atlanta were marked by such inconvenience. A number of passengers had to stand for a considerable distance. Nor is that all. The coaches are decidedly unkempt. They could be much cleaner, even for colored travelers.

If we had in this country the miserable caste system that prevails in Asia or some European lands where travel is first, second or third class, there might be some reason for this condition. But we haven't, and besides the Negro pays as much as the white man for every mile he travels.

Coming up from Atlanta Tuesday I left there at 4:10 on No. 6. I could not help but observe the hardship that seemed forced upon—I regret that I must do violence to the language, but it is literally true—the Negro travelers. The coach was full and the toilets were unclean. The whole atmosphere savored of the prison, as though Negroes were inferior creatures and merited no other treatment.

At Oakdale, Tenn., I believe, fou adults and two children got aboard. They had to stand all the way, I suppose, for most of the passengers were bound for Detroit, Chicago, Cleveland and other Northern cities.

Twelve persons were left to take No. 44. I was curious to see whether this was the only train so crowded and ill-conditioned and waited for No. 44, which I bearded for the remainder of the journey and I saw it was no better.

I would appreciate a reply that would throw some light on this matter, for the injustice of these conditions is manifest to any one who travels that route. I have heard that the L. & N. gives better service and I am tempted to persuade all my friends who travel South to use that road.

Very truly,
WILLIAM WARE,
President Division.

Southern Railways System, Lines West
Cincinnati, Ohio, June 17, 1925.

Mr. Wm. Ware, President Cincinnati Division No. 146, Universal Negro Improvement Association, 330 George Street, Cincinnati, Ohio.

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NOV 9 - 1925

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Jim Crow Car Laws – 1925.

North Carolina.

Newton, N.C.
Enterprise
5-5-25

RAISE QUESTION OF THE RIGHT OF NEGROES TO RIDE ON BUSES

Attorney General and Corporation Commission Refuse to Give Opinion on Question Under New Bus Law Raised by Insistence of Berry O'Kelly on Riding on Bus Here.

Attorney General Brummit and members of the Corporation Commission refused to give a definite opinion on the question as to whether commercial busses shall carry negro as well as white passengers which was raised when Berry O'Kelly, prominent negro of Method, was put off a Safety Coach Line bus here after he had been sold a ticket in the bus station.

The question has not been brought officially before either the commission, which was given supervision of busses under the act of the recent session of the General Assembly, or the Attorney General and no opinion will be given by the agencies except on a direct question raised before them.

"Our business is to regulate the busses not to operate them," state W .T. Lee ,chairman of the commission.

The situation was brought to public attention when O'Kelly after securing a ticket to Method at the bus station got into one of the busses. He was told that he would have to get off the bus as white people only were allowe dto ride on the bus. O'Kelly insisted that he had a right to ride and presented his ticket. The bus driver gave in and carried him to Method.

"This is a delicate question and I don't like to express an opinion or it," said Commissioner Maxwell, "but Ibelieve there is a recent opinion of the United States Supreme Court which holds that busses must carry all persons who apply to the extent of their capacity."

State Highway Commissioner Frank Page, who was chairman of the legislative commission which drew the act, stated that the question was a very knotty problem. He said that the act itself does not declare busses to be common carriers but that their relation to the State probably makes them so.

R. O. Self, chief clerk of the commission who has charge of the administration of the bus act, stated that in his opinion busses are not common carriers and therefore can not be required to carry negro passengers.

"If busses are common carriers they have not been so held up to this time," Mr .Self declared, "and we are only regulating the service they offer and are not specifying what service they shall offer. The question hasn't come up officially."

Mr. Self stated that since the bus station sold O'Kelly a ticket he believed in this particular case the bus line was under a contractural obligation to carry O'Kelly.

He stated that when the commission grants bus lines a franchise to operate between certain towns that he rather thought that the busses would have to carry the negro passengers as the granting of a franchise would put the bus lines in the class of public service corporations. He stated, however, that no franchises have been granted and that the busses are not running now under franchise but merely under the regulation of the commission.

He suggested as a solution the operation of busses exclusively for the use of negroes. A bus line of this type was operated between Raleigh and Durham at one time in a spasmodic schedule but it has not been in operation now for some time.

O'Kelly, who insisted on his right to ride, is one of the wealthiest and best liked negroes in the community He has contributed liberally to the education of his race. He has established a school at Method and has loaned money to white and colored young men and women for college educations.

Hickory, N. C., Times-Mercury
Tuesday, May 5, 1925

JIM CROW LAW FOR BUS LINES?

Knotty Problem Presented to Corporation Commission

Result May Rest Upon Decision as To Whether Buses Ahe Common Carriers

RALEIGH, April 30.—The question as to whether commercial motor bus lines shall carry negro as well as white passengers, brought to a head here today, has thrust a knotty problem upon the corporation commission, and they necessitate court action to determine.

Berry O'Kelly, negro resident of Method, west of the city, secured a ticket from the local office of a bus line. He got into the bus, whereupon the driver notified him that the bus carried white people only. O'Kelly presented his ticket and insisted that he had a right to ride to Method. The driver finally gave in and the negro was carried as a passenger.

R. O. Self, bus commissioner, when asked for an opinion as to the duty of busses to carry negro passengers ruled that they are not common carriers.

"That's up to the bus people," he said. "We can't say what service they shall offer; we only regulate that which they do offer."

Legal opinion was to the effect, however, that the mere fact that the bus lines are regulated makes them a common carrier. The attorney general may be called upon to determine whether it is within the providence of the corporation commission to handle the issue.

In some of the eastern section of the state special bus lines are run for the exclusive accomodation of negroes. There has been talk of the operation of extra cars on other routes, or the setting apart of one or more seats in the white busses for their accomodation, just as the street cars have.

Unless the question is determined, it is considered likely that the courts will be restored to.

RIDE ON N. C. BUS STIRS COMMISSION

Berry O'Kelly Insists He's Citizen And Driver Accepts Him As "Fare"

O'KELLY OWNS WHOLE NORTH CAROLINA TOWN

Three Mile Ride May End Barring Of Race From All Busses

Raleigh, N. C.--When Berry O'Kelly rode on the inter urban bus line from this place to Method last week it was only a three mile drive but broke all precedents in the State.

Heretofore, inter-urban bus lines had refused to haul colored people. O'Kelly has several automobiles but he was in a hurry to get back to Method and insisted on riding in the bus. The driver at first refused to haul them but O'Kelly showed his ticket and at last won out.

As a result of this ride the whole question has been agitated in the State as never before.

Attorney General Brummit refused to give a definite opinion on the question as to whether commercial busses shall haul colored passengers in the future.

W. T. Lee, chairman of the Public Service Commission said it was his opinion that the busses were probably common carriers and would probably have to carry colored passengers as well as white in the future.

COLORED PEOPLE BARRED

Until O'Kelly's three mile ride it had been practically imposible for colored people to use bus lines in the State. Had any ordinary man made an attempt at it he would probably have suffered violence. O'Kelly is, however, both wealthy and prominent. He practically owns the little town of Method, three miles from Raleigh and is one of the wealthiest men of the State.

He was an intimate friend of the late Booker T. Washington and is said to be one of the three or four colored men who have ever been named on the Trustee Board at Tuskegee Institute. He founded a school in Method and has loaned money freely to both races.

It is believed that he told the bus driver to accept him as fare or stay out of Method.

RIGHT OF NEGROES TO RIDE INTER CITY BUSSES QUESTIONED

Corporation Commission and Attorney General Refuse to Commit Themselves On Question

Raleigh, May 1.—The Corporation Commission today was facing a question, which, it was stated, was causing much concern in the right of negroes to ride on inter city busses. The question came up with the presentation of a ticket of a negro to a bus driver, who refused the man access to the bus, on the grounds that negroes were not allowed on the vehicle. The man, Berry O'Kelley, prominent and wealthy negro, of Method, insisted on his right to ride and the driver gave in. The Attorney General and members of the Commission have refused to commit themselves on the question until a

Atlanta-American
5-9-25
Baltimore, Md.

direct issue is brought to them for decision. The Commission is said to hold a view that its powers end with regulation of the bus lines of the state, and that the right of negroes to ride is a question of operation up to the individual company. However, Commissioner Maxwell has expressed the opinion, unofficially, that a recent decree of Supreme Court is to the effect that busses must carry passengers to the extent of their capacity.

This is interpreted that the color line can not be drawn. Highway Commissioner, Frank Page, who aided in drawing the bus supervisions act, asserts that though the busses are not declared in the act to be common carriers, its relation to the state probably brings them to that state. Common carriers are unable to draw a color line.

On the other hand, Robert O. Sells, Bus Supervisor of the Corporation Provisions, expressed the opinion that busses are not common carriers, and are not obliged to carry negroes. He suggests the opinion of special busses for negro passengers.

Durham, N. C., Herald

MAY 4 1925

A "DELICATE" PROBLEM

State officials, especially those having charge of the motor bus department, are up against a tough proposition. The question has been raised as to whether the bus lines shall or shall not carry Negro passengers. The case arose a few days ago when a Negro bought a ticket for a trip on one of the buses operating between Durham and Raleigh. The bus driver at first refused the passenger, telling him that the bus was for white passengers only. The negro protested, and took the position that the bus was a common carrier within the meaning of the law, and that as he had purchased a ticket, it was compelled to accept him as a passenger. The bus driver was put up against it, and decided by letting the Negro ride. While the question has not been put to the proper state officials for an official ruling, they realize that it is bound to come before them in an official manner before very long, and they are trying to figure out what to do with it. The answer is going to be difficult. As a member of the corporation commission said, it is a delicate question, and will have to be handled with care. Some authorities contend that the bus is not within the meaning of "common carriers" and can refuse to sell tickets or carry as passengers anyone for any reason it may select. There are others who hold that if the matter is carried to the courts that it will be held that the bus is a common carrier, and that provision will have to be made for Negro passengers. That would bring the matter under the operation of the Jim Crow law, and would make it necessary for the bus lines to have a separate car or compartment for colored passengers.

The Charlotte Observer thinks the solution is for the Negroes to organize a bus line of their own for the purpose of carrying passengers only of their own race. "If," says The Observer, "it is ruled that the motor buses on the highways of the state are to be legally classified as "common carriers," that would, of course, open their doors to negro patrons. But the clientage of these vehicles will always remain white in the bulk and it would prove disagreeable on part of many self-respecting colored people to feel like they are intruding, a feeling which they would be bound to entertain. They would unquestionably welcome the putting on the highways of motor buses owned and operated by negroes for negroes. Any set of colored men who might embark in this class of enterprise would stand a good chance of finding it a profitable one. Very little passenger business is developed for the motor buses by the negro population, but with a line of their own, the idea might become popularized. There are very few colored people in this state who would entertain the notion of forcing their company on the motor bus passengers just for the purpose of creating a disagreeable situation."

The News and Observer doesn' believe that bus lines are "common carriers" within the meaning of the law. "There is no need," says the Raleigh morning paper, "of having confusion and chaos about the question of Negroes riding in buses. Public policy as expressed in the laws of this and other states requires common carriers to provide separate cars for negroes. If public buses are to haul Negroes as passengers, then there must be separate automobiles to carry them.

"The legislature of North Carolina has not declared that public bus lines are common carriers but it has declared that common carriers must provide separate cars. No legal duty has been imposed by the legislature upon bus lines to carry Negroes. No court has ordered bus lines to haul Negroes. If the duty is voluntarily assumed by bus lines, then they must furnish separate automobiles in which to carry Negroes.

"Bus owners are not required by law to sell tickets to all comers. They may select their passengers, if they so desire, and the duty is incumbent upon them so to do, if they wish to avoid violating the law, unless they do have separate cars for white people and Negroes. If tickets are sold to Negroes, then bus owners must provide a means of transportation that is separate from that of white people.

"The law requiring separate cars for white people and Negroes exists for the good of the Negro no less than the white. It is a policy that has been found to be for the best good of all. Negroes recognize that it is for their best interests and they have no desire to change it."

The Raleigh Times seems to take the view that bus lines are common carriers and will have to provide for accommodations for Negro passengers. How that is to be done, The Times doesn't offer an opinion. In concluding a discussion of the admittedly "delicate" problem, The Times says:

"It is inconceivable that common carriers on state highways, some of them constructed with federal aid, will be permitted to refuse to carry Negro passengers when there is available space for them. The result will probably be to force from the field all bus lines not able to afford separate compartments.

"We do not know how the matter is to be adjusted. The corporation commission will have to dispose of the problem. But though it is delicate it is capable of solution, as witness the joint wayfaring of the two races in peace on the electrically-driven common carriers which traverse the city streets."

Just how the question will be answered is not known. That it is a difficult and delicate problem is admitted, but it is not an an unexpected one, for ever since the bus lines became such an important factor in transportation there have been a good many people wondering what would happen in the matter of carrying Negro passengers, as they felt that it was bound to come up for solution soon. As has been pointed out, the Negroes will not want to embarrass themselves or other passengers by seeking riding privilges. But, somebody in authority should make a ruling about it, so that the drivers and travelling public may know what to expect and what to do in case an acute presentation of a situation is made by some person unthoughted enough to disregard a general understanding, whether that understanding is a law or not. One or two persons of different races under the influence of whisky can cause a lot of trouble in case there is no definite law or ruling to govern the situation.

Nashville N.C. Graphic

MAY 7 - 1925

Bus Lines Cannot Be Forced To Take Negro Passengers.

Raleigh, April 30.—Though the corporation commission directs schedules to the bus operators, motor owners which deny to negroes the right to ride are within their rights, R. O. Self told newspaper men to-day.

The issue was precipitated by Berry o'Kelly, one of the wealthiest negroes in the state and owner of Method, three miles from Raliegh. There is a school named for him and there is a hard surfaced road built for him. He is somebody. When he presented his bus ticket to the driver of "for whites only" car, the driver took him on and dropped him at his home.

But the corporation commission holds through Chairman Lee that the bus traffic is to be regulated, not operated by the commission. The solution is for some enterprising negro or white man to operate a bus line exclusively for the negro traffic, the commission thinks.

Jim Crow Car Cases - 1925. Oklahoma.

OKLAHOMA: AS THE EDITOR SEES IT

EDITOR NICK CHILES JAILED AT SAPULPA

RELEASED; .WILL SEEK DAMAGES IN UNITED STATES COURTS.

Kansas Scribe Refuses To Leave Seat

SAPULPA, Okla., Feb. 25.—Nick Chiles, veteran editor of the Topeka Plaindealer, was arrested and thrown in jail here Saturday night, charged with violating the Seperate Coach and waiting room laws of the state. Chiles spent the night in the city jail. He was released Sunday morning because of insufficient evidence. Editor Chiles stated before leaving for Kansas that he will file an action for damages against the city of Sapulpa and Oklahoma Union Railway in the Federal Courts.

Chiles was on his way to this city from Tulsa when the altercation developed. It is claimed that he refused to move from the seat he had taken when the inturban conductor ordered him to do so. Chiles ran afoul of a custom that the trolley conductors have, who make provision for about six Negroes to be seated between Sapulpa and Tulsa, regardless of the number who may passage on the interurban trains.

This unfair custom is in vogue because of the very evident intention to see that white folk get a seat in the car, even if they get on the trolley half way to and from the two cities. Chiles refused to stand while there were vacant seats in the car.

Nick Chiles is a real fighter for constitutional rights. For thirty years he has been editing the well known weekly—The Topeka Plaindealer. The scrap he has started will doubtless result in much good to the Negroes who travel on the interurbans between Tulsa and Sapulpa.

—The Black-Dispatch

EDITOR CHILES FILES $20,000 JIM CROW SUIT

Charges He Was Arrested Because He Refused To Vacate Seat In Jim Crow Car For White Man

MUSKOGEE, Okla., Nov. 25—Nich Chiles, widely known as colored journalist, editor of the Topeka Plain Dealer, has filed suit in the Federal Court here against the Oklahoma Union Traction Company of Tulsa, for $20,000 damages, based on alleged maladministration of the "Jim crow Law".

In his petition, editor Chiles charges he boarded a Tulsa-Sapulpa interurban car at Tulsa recently and took a seat in the compartment set apart for Negroes. He says the car was rapidly filled by whites and the conductor attempted to force him to vacate his seat in the Negro secion so a white patron could sit down. He says he refused and that upon his arrival at Sapulpa the conductor caused his arrest.

He charges the arrest was without complaint or warrant.

Jim Crow Car Laws—1925. Tennessee.

SOME JIM-CROW CAR LEGAL HISTORY

(Preston News Service)

During the period from 1880 to 1887, the definition of discrimination, in public opinion changed slightly. From an absolute rule which almost amounted to distinction, it was softened, particularly with reference to public or common carriers and innkeepers, it being assumed that it was the duty of anyone engaged in such public callings to serve all patrons in order in which they presented themselves, and to charge no more than a reasonable rate. such a public servant was not to pick and choose among patrons. speaking generally, all were to be treated alike. afacilities were to be furnished to all, without the extraction from any one of an excessive rate for services. Further than this, however the common law duty of the public servant, at least from a discriminatory viewpoint, did not extend. He was at liberty to charge less than a fair rate to any one. Others, it was held, could not justly complain of such favoritism, so long as cnarges to them were reasonable.

With increased railway transportation, the managers of railway companies took advantage of this rule of the common law, and made especially low rates for those who gave them their exclusive patronage, as well as for those whom they chose for a reason to favor. Large shippers of commodities soon conspired with the railroads to secure lower rates on their shipments, to the prejudice of the small shipper.

As particularly affecting colored citizen, were the various so-called "Jim-Crow" laws of many of the states, requiring a separation af the races during transportation. It had long since been found to be within states' rights to enact such laws without fear of federal interference, and the railroads which operated in "Jim-Crow" states were not slow to curtail their expenses by furnishing the cheapest kind of equipment for the colored passenger.

Doubtless it uas entirely beyond the view of congress that the colored citizen would be affected in any other than a general way when, in February 1887, it established the Interstate Commerce Commission for the purpose of facilitating commerce by the adoption of regulations to make charges for transportation just and reasonable; to forbid undue and unreasonable preferences or discriminations and to correct the inequalities of facilities furnished shippers and passengers. The principal inequalities, furnished, that had been brought to the attention of the Federal Government had involved, more than anything else, freight equipment and car shortage; but now vitally the discriminatory clauses of Interstate Commerce Bill affected the colored citizen, and particularly, colored passenger, was abruptly brought to hte attention of the Interstate Commerce Commision in 1887, when 2 colored complainants filed charges against different common carriers. The facts in both cases were similar, both complaints being based upon the unequal facilities of cars for white and colored passengers traveling Interstate. It was alleged among other things, that the 'Jim Crow' coupartment was full of smoke that train hand and laborers, with their tools sat in this compartment; that it was not provided with ice water; that the seats were not upholstered; and there was no carpet on the floor; that white passengers entered this compartment and drank whiskey from the glass used by the colored passengers for water: and that none of these conditions as to which complaint was made existed in the compartments for white passengers.

The commission, after considering these cases at length said:

"Passengers paying the same fare upon the railroad train, whether white or colored, are entitled to equality of transportation, in respect to the character of the car in which they travel and the comforts and conveniences supplied.

"Equality of civil and political rights and the equal protection of the laws, with no discrimination except for misconduct or crime are subjects not open for discussion. They are fundamental principles of government and jurisprudence whoever attempts to deny these principles in their just application puts himself in antagonism to the established law of the land A rule requiring separation of passengers invites officious interference to enforce it by meddlesome persons, who, impelled perhaps by strong prejudice and unmindful of the rights of others, are doubtless less considerate and law-observed in their self appointed service than the authorized employees of the carrier in the reasonable dispatch of their duty. If therefore, the rule is soughi to be justified, it can only be done by showing adequate protection is afforded to colored passengers, and that the equality in separate cars is real and not delusive.

"It is not surprising that it appears to colored persons as irony to be put in a badly furnished car, popularly designated as a 'Jim-Crow' car, of which only half is at their service, with liability to unnecessary annoyances, and to call that equality of comfort and accommodations. The defendant is responsible for the character of this car and the manner in which it is used Reputable colored persons, therefore, have reason for complaining under such conditions of transportation as these cases has disclosed, that they are not furnished the just and equal accommodations for which they pay and to which they are entitled under the law.

"It is a lawful duty that a carrier, like the defendant, owes to the traveling public in carrying out its rule of furnishing separate cars to white and colored passengers on its line, engaged in interstate travel, to make them equal in comforts, accommodations and equipment, without any discrimination."

Jim Crow Car Laws - 1925. Texas.

NO ACTION YET!

Despite the arrests, recently, of two colored citizens for attempting to rue on the busses operated on the sereets of this city by the Houston Electric Company, and despite promised action by two bodies here in the interest of this cause, we have been unable to ascertain what has been done or will be done here by one of these two organizations to test the legality of such rank, wilful and malicious discrimination.

When W. H. Mitchell was arrested and incarcerated for daring to ride in one of these "pretty little busses," we were reliably informed that the local branch of the National Association for the Advancement of Colored People, realizing that it was a racial issue, had decided to push the cause and employ counsel, if necessary, to make a test case of the Mitchell incident.

We were also informed that the local Committee on Inter-Racial Co-operation was going to take up the matter immediately, and we were given assurances from certain sources that the matter would be amicably adjusted and satisfactorily settled for all concerned.

After months of "watchful waiting" we find ourselves right where we were when the "beautiful little busses" were originally pressed into service here; with the exception that another member of the colored race (this time a respectable and taxpaying woman) was arrested last week for having the brazen audacity and bold affrontery to attempt to ride as a passenger in one of these "cute little busses."

Notwithstanding the fact that these busses are, to all intents and purposes, common carriers and are operated under the franchise rights given a public service utility, the management of the local traction company and the city officials, apparently, have entered into some kind of a pact that the busses must be kept pro-white and anti-black.

Then, to make bad matters worse, our people, who are shamefully humiliated and discriminated against (in that they are not permitted to ride in these busses), seem to be afraid to demand their rights as citizens and taxpayers in this respect, or find out in a court of equity the reason why they are the victims of such gross and flagrant injustices, inequality and discrimination.

If we can not get action and redress through the instrumentality of some already existing organization, then the time has arrived when we must perfect some other organization for the express purposes of getting our civil and human rights, which are guaranteed to every American citizen under the provisions and terms of the constitution and bill of rights of Texas and the United States of America.

If colored citizens of Houston can not ride in these busses, operated on the streets of this city as common carriers and even taking and giving transfers to and from street cars, the day may not be far distant when an edict will be issued that colored citizens can not even ride on street cars; or else we shall witness the saddening and sickening spectacle of the local traction company heads issuing an ultimatum, approved by the city fathers, that colored citizens can only ride on certain street car lines.

This is a grave matter, and that is one reason why this paper continues to agitate the question; for our people have never yet seen the gravity and severity of the situation and its portent.

Corporations, even public service ultilities, are not unlike human beings, being directed as they are by human beings; and the more that they can pull off on the public and get by with it, the more they will try to put over the public in various ways.

When the black man becomes racially conscious in Houston and the race attains the status of a well-oiled and properly functioning machine, some of these discriminations, injustices and inequalities will not be so pronounced and ubiquitous.

However, if we pursue our present say-little and do-nothing policy, we are going to wake up some morning and discover to our sorrow and regret that even some of the rights we formerly enjoyed have been taken away from us, and that we are not far removed from human serfs; notwithstanding constitutional warranties and guarantees to the contrary.

Here's hoping that before the ink is dry on this issue something definite will be done by our group in testing out this discriminatory ruling of the Houston Electric Co.

RIVER OAKS BUS LINE AND NEGRO PASSENGERS!

The Houston Electric Company has established an express or limited bus line from the downtown district to River Oaks Estate, Houston's most artistocratic residential section on the western outskirts of the city, and THIS LOCAL TRACTION COMPANY HAS MADE PROVISIONS IN THESE SPECIAL BUSSES FOR COLORED PASSENGERS.

Corporations, like individuals and races, can perform some funny tricks and cut some peculiar capers; for this same traction company has steadfastly and stubbornly refused to provide accommodations for colored passengers on the other purely city bus lines.

One of the officials of the Houston Electric Company has even gone so far as to withdraw all advertising from The Informer, because this paper had the nerve and backbone to call down the traction company officials for their high-handed and autocratic attitude towards the thousands of colored patrons of the traction system, in denying these colored citizens passage in these "pretty little busses."

This paper has contended all along that these busses are, to all intents and purposes, common carriers, and that to deny any race passage in the same was in direct violation of the municipal and state statutes covering equal accommodations for both races on the common carriers operating in Texas.

However, it seems that what logic failed to do in this case, "long green" accomplished; for when the wealthy white people in this new exclusive residential district (River Oaks) saw that their colored help were experiencing trouble and were at a great disadvantage when it came to transportation facilities in getting to and from work out there, they petitioned the city council to grant the Houston Electric Company, owners and operators of these "for whites only" busses on other city lines, the right to run a special bus lines to their section, and saw to it that provisions were made in these River Oak busses for colored passengers.

The question naturally arises, IF COLORED PASSENGERS CAN RIDE ON THE RIVER OAKS BUSSES. WHY CAN NOT THEY RIDE ON OTHER BUSSES OPERATED BY THIS SAME TRACTION COMPANY?

WHAT RIGHT HAS THE HOUSTON ELECTRIC COMPANY TO SAY THAT PASSENGERS OF CERTAIN RACIAL AFFILIATIONS CAN ONLY RIDE ON CERTAIN BUS LINES?

HAVE THE TEXAS LEGISLATURE AND THE CITY COUNCIL OF HOUSTON CONFERRED SPECIAL PRIVILEGES UPON THE LOCAL TRACTION COMPANY IN THIS RESPECT?

If the presence of colored passengers on the other bus lines is objectionable to passengers of other races and places said passengers in constant danger of being contaminated by getting in too close touch with colored passengers, we wonder what will prevent such from occurring on the River Oaks bus line?

Money not only makes the mare run and the monkey dance, but moneyed interests can even change the policy and practice of big corporations like the Houston Electric Company; if we are to judge by their change of attitude and front by allowing colored passengers to ride in these "pretty little busses," now being operated on the non-stop run from the downtown district to this high-class residential section in the west end.

Suppose some colored maid or nurse should accompany her white employer from River Oaks in one of these busses and her employer wanted to transfer to another bus line, along with her colored maid or nurse! We are anxious to know just what the local traction company would do in such a trying situation!

Would the bus operator permit the white employer to enter the bus to which she had transferred, and yet deny her colored maid or nurse the right to enter, even though said colored maid or nurse had her employer's child in her custody and care? Or would he simply forget the "tacit agreement between the city official and traction company heads" and permit the colored employe to enter the bus?

Any person or concern that tries to cater to and palliate with prejudice is merely inviting trouble; for he who tries to rob Peter to pay Paul, will ere long be found owing all.

IF COLORED CITIZENS OF HOUSTON ARE GOOD ENOUGH TO RIDE AS PASSENGERS ON THE RIVER OAKS BUSSES, THE INFORMER CONTENDS THAT THEY ARE GOOD ENOUGH TO RIDE IN ALL THESE BUSSES; AND IF THEY ARE NOT FIT TO RIDE IN THE OTHER BUS LINES, THEY ARE NOT FIT TO RIDE IN THE RIVER OAKS BUSSES!

THERE IS NO SUCH THING AS HALF-WAY GROUND BETWEEN RIGHT AND WRONG; FAIRNESS AND UNFAIRNESS; JUSTICE AND INJUSTICE!

The Informer shall continue its contention along this line until it has won its fight, and no amount of advertising from the local traction company can swerve this paper from this course; **for the editorial columns of The Houston Informer are not for sale!**

Sharp censure of the officials of the T. and P. Railroad for the meager accomodations furnished Negro passengers on "The Sunshine Special" crack train of that road, is contained in a letter forwarded to the Express from Hon. M. S. Stuart, general agent for the Southern Insurance Company, re-insurer of The Mississippi Life Insurance Company.

In his letter to these officials, Mr. Stuart mentions the lack of cleanliness, the lack of space and the general cramped quarters together with the unspeakable toilet arrangement all of which combines to make the life of the Negro traveller over that road, farm from as comfortable as the advertisements of that carrier would indicate.

The following is the letter of Mr. Stuart to the officials:

THE STATE RAILROAD COMMISSION.

Gentlemen:

We wish to respectfully call your attention to the indecent, uncomfortable and dangerous condition forced upon the Colored passengers who ride on the Sunshine Special or the Missouri Pacific Railroad running from St. Louis Southwest through Arkansas and Texas.

The one coach has been divided into four separate compartments. About one-third of the length of the car is taken for the Express and Mail, another one-third of it is partitioned for a smoker for the white people, and the other one-third is left for the Colored passengers, and being itself divided so as to leave an excuse for a Colored smoker.

This so-called "Colored smoker" consists of two pairs of seats facing each other and so close together that only two of them could be comfortably occupied if they were left available for Colored men; but they are not; they are always occupied by the Conductor and Auditor of the railroad who use the entire compartment for office purposes.

The space left for Colored ladies and non-smokers has only six seats altogether, and only four of these are forward riding seats.

The others are so fixed that one riding in them would have to ride backwards. Sometimes these few seats are adequate, but nearly all the time they are not nearly sufficient to accomodate the Colored passengers.

The partition between this compartment for Colored ladies and the white smoker does not go to the top of the car, so that these female passengers are compelled to sit for hours while riding and inhale the smoke that comes over from the white smoker.

On a recent trip I was forced to sit and inhale these tobacco fumes for more than 12 hours, causing me nausea and serious illness. Moreover every word said by the white men in the white smoker is perfectly audible to the Colored women in the adjoining compartment, especially when the train is standing, and on this recent trip the white men in the smoker continually indulged in cursing and obscene language.

On this trip I rode in car No. 64, but I was informed that the railroad has several other cars divided up like this one. There is only one toilet for Colored people in this car, and not only do male and female of the same race have to use this one toilet; but the white expressmen and bagage men also use it, as well as all of the pullman porters and waiters. It is situated in what is offered as the ladies coach for Colored people. There is no exit for Colored women from this little compartment except through the Colored smoker and baggage car, or through the white smoker, it being cut off in the middle of the car.

As above stated this condition is indecent, unhealthy, dangerous and unfair, and we ask that some action be taken to compel this railroad Company to afford equal, though separate, accomodations for Colored passengers riding on its trains.

We understand that only recently has this railroad commenced to force upon its passengers these unbearable conditions.

Yours very truly,

M. S. STUART.

MSS: C. J.

HOW DO THE BUS OPERATORS DO IT?

One of The Informer's subscribers wants to know how the operators of the River Oaks busses can decide what colored citizens are eligible to ride in said busses.

As announced in The Informer a few weeks ago these "pretty little busses," running as express or limited common carriers from the downtown section to this exclusive and aristocratic residential addition, have special provisions for colored passengers, provided said colored passengers are servants and employes of white persons residing in said district.

It is reported that these white operators of the Houston Electric Company's busses will not permit any colored person to enter the same unless said colored person informs the said operator that he or she is working for a certain white family in the River Oaks section.

In other words, it seems that the edict has gone forth from the offices of the local traction company that ONLY COLORED SERVANTS CAN RIDE IN THE RIVER OAKS BUSSES! and it is stated that their River Oaks bus operators fire more questions at a prospective colored passenger than does a district attorney at a witness in a murder case!

We presume that the only hope for our people to ride in these busses will be for all of us to get a job working for some white family in that section of the city, and then we shall all be eligible to ride in these "pretty little busses!"

In the face of this rank, willful, malicious and premeditated discrimination and injustice, the colored citizens of Houston seem to be satisfied and contented with the complete denial of their inalienable and constitutional rights, and ere long it will not surprise us if the local traction company issues an order that colored citizens can not ride on certain street car lines.

Really, there is just about as much sense and fairness to the street car exclusive edict as there is to the one excluding colored citizens from these "dad-blamed" busses!

This whole affair of denying colored citizens passage on the Houston busses is a huge joke, a travesty on justice, an outrageous mockery of fairness and equity and a criminal outrage upon democracy and Americanism!

Jim Crow Car Laws—1925. Texas.

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This paper also set forth and showed that two of the bus lines would traverse colored residential and quasi-business sections, and asked what would be the company's attitude towards the colored patrons of the local traction company in making accommodations on these busses for colored passengers.

When the question of the retention and abolition of the jitneys came up and was argued pro and con in this city, The Informer advocated the abolition of these jitneys, believing then as it does now that they were liabilities rather than assets to the community; but little did this paper and the colored citizens, who voted for the abolition of the jitneys, dream that this same traction company, a public service concern, would show its base ingratitude by promulgating an edict that certain of its public carriers should not and would not accommodate colored passengers.

The editor of The Informer repeatedly asked the head of the Houston Electric Company, even prior to the jitney election, if colored people would be accommodated on these busses, and was assured that the law was plain and specific regarding equal accommodations for both races on the public carriers in the state of Texas, and that the traction company would not be a party to any discrimination in that respect.

Wednesday night, Mr. W. H. Mitchell, connected with the Mississippi Life Insurance Company, made an attempt to ride the East End bus that passes right in front of his boarding place on McKinney Avenue, and he was arrested and placed in jail in default of $200 bond.

According to the news item in the morning consolidated (which seems to take much pleasure and delight in chronicling certain unsavory news items about our group, but religiously and journalistically avoiding to mention anything that will help create and maintain a more favorable sentiment for the race), some traction company officials immediately broke into print in support of Mitchell's arrest; one of them being reported as saying that the Houston Electric Company's busses are operated under the old "jitney ordinance."

He contended that, operating under such ordinance, the company is not required to haul colored passengers on these busses and that their operators are forbidden, UNDER THE RULES OF THE COMPANY (NOT BY THE LAW OF THE CITY OR STATE), to accept "Negroes as passengers."

The company officials—according to the morning paper which can always give such events front page space, but could not devote one agate line to a news item about the colored Odd Fellows dedicating a temple that represented a cash outlay and investment of $350,500 and that just about two blocks from the office of said morning paper—claim that Mitchell denied he was a colored man; yet there is no earthly way for any sane person, with good eyes, to mistake W. H. Mitchell for anything else than a colored man.

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These busses, to all intents and purposes, are public carriers and they can not operate under any "jitney ordinance;" for when the ordinance establishing and regulating jitneys was abolished, it automatically abolished all ordinances pertaining and relating to intra-city jitneys.

It takes some awful stretch of the imagination (as well as unmitigated gall and base ingratitude) for these Houston Electric Company officials to come forth at this time and tell the colored citizens that their patronage and support are not appreciated and that the company reserves the right, whether illegal or inexpedient, to proscribe against our race merely because of its color, and to issue and endeavor to enforce certain rules that smack of class legislation.

Mitchell's arrest was and is more than a personal matter; for the culmination of the trial will determine whether the race, not merely the young race man himself, has any rights that the Houston Electric Company is bound to respect, and whether a public service corporation can openly, willfully and maliciously flout defiance in the face of the written law of the city and state, and set aside accommodations only for those persons the company regards as being worthy of such.

The Informer wishes to inform the colored citizens of Houston that this is our cause and not Mitchell's alone, and if we are susceptible to insults and have any moral courage and red blood in our veins, then we will fight this case to a bitter end, and see just what rights the colored citizens have under the city ordinance and state law governing and regulating common carriers.

A word to the wise should be sufficient! Selah!

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If there was no case on the docket against Mr. Mitchell and if, by dismissing the cause, no law existed whereby he could be arrested, why was this peaceful and law-abiding young man forced to submit to the humiliation of arrest and spend an entire night at the local police bastile, where all efforts on the part of some of the leading colored citizens to bail him out, met with dismal and utter failure?

If Mitchell's act of boarding the East End bus was a violation of any law, why is the local traction company so willing to drop the case?

If, in offering to ride and riding for some distance on this bus line, constituted an offense, why does not the City of Houston, with its brilliant and high-priced array of legal talent, prosecute this case against the young man like is done other violators of municipal laws, and with the same diligence that the arresting officers and those at the police station employed on the night of the young man's arrest?

Are we to infer from the dropping of this case that the Houston Electric Company has consented to place markers in the local busses and thereby provide accommodations for colored passengers, or do the company officials plan to still ignore the law in this respect?

Surely, the Mitchell case has taken a most peculiar twist and twang, and yet the main issue in the controversy has not been settled and will not be settled until the city compels the local traction company to obey the full law in this matter, or some court of equity by a decision brings both the city officials and local traction company heads to their senses.

The Informer has never understood why the Houston Electric Company is so bitterly and stubbornly opposed to providing space in these local busses for colored passengers, nor can this paper understand why the city council sits supinely by and permits the local traction company to perpetrate such a high-handed stunt! To refuse to prosecute Mitchell for an alleged infraction of the "jim-crow" law, intended as a master stroke by the local traction company officials and city fathers, is surely to complicate matters and intensify an inter-racial situation for which there is no necessity nor valid, sane or rational reason.

Colored passengers should ride on all these busses of the Houston Electric Company, or seek redress in a court of equity by a mandatory writs, damage suits, etc.

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The Houston Electric Company officials and the city officials should stop trying to deny the colored patrons of the former's traction system and citizens of the latter's municipality their constitutional and inalienable rights; and the colored citizens of Houston, taking the Mitchell case as their cue and basis for contention, should see to it that no man or set of men can longer refuse to accord to our race those rights and privileges that are ours under the laws of the city, state and country.

But, friends, talk will not net us very much; it will require concerted action to bell this cat of racial prejudice and class distinction! ("There is silence!")

TESTING HOUSTON'S ANTI-NEGRO BUS RULE.

The arrest, last week, of W. H. Mitchell, local insurance man for trying to ride home on the East End bus and his incarceration overnight in default of a $200 bond at the police station, has brought to a focus the legality and equity of a rule promulgated by the Houston Electric Company against colored citizens riding in these busses. Houston Informer

What is worse, it appears that the City of Houston is particeps in criminis, in that the city officials have refused to compel the local traction company to place markers in these busses so as to separate the two races, as is done on the street cars.

There is no denying or getting around the fact that these busses are common carriers, and as such MUST PROVIDE ACCOMMODATIONS FOR ALL PERSONS DESIRING PASSAGE ON THEM, or the persons thus discriminated against and humiliated have recourse in a court of equity. 2-28-25

Some contend that our people should not force themselves where they are not wanted and where their presence will be resented and precipitate an ugly inter-racial situation. Houston Texas.

All such arguments are illogical, unreasonable, irrational and nonsensical; for the colored man has as much right to ride in these busses as the members of the favored and fortunate race, and the fact that the busses were placed in service largely as sop to former employers of white jitneys, does not change the situation one bit or alter the fact one iota.

THESE BUSSES ARE NOT JITNEYS, and if they are being operated as jitneys, then the Houston Electric Company is operating jitneys in defiance of the will and wishes of the electorate of this municipality as expressed at the polls last year, when they voted unanimously to abolish all intra-city jitneys.

Not only are these busses being run contrary to the vote of the people (if they are still operating under the "old jitney ordinance," as certain officials of the local traction company contend), but they are operating as jitneys without authority from the city; for the city council has no authority or power delegated to it by the charter to set aside such verdicts of the electors and give special privileges to public service corporations.

Since these busses can not legally be classified, operated and regulated as jitneys (since jitneys do not exist, either by city ordinance or vote of the people), then they are common carriers and as such must conform to and obey all laws, rules and regulations obligatory and mandatory upon corporations operating common carriers in this city and the State of Texas.

The law on this score is quite plain and is manifestly fair, in that it provides and declares that "accommodations on all public carriers within the confines of this state shall be separate, but EQUAL."

Since neither the state nor cities have forced the traction companies to operate separate street cars for colored and white passengers, but have permitted them to divide and separate the races with a marker in the street cars, the same policy could have and should have been applied and enforced when these busses were originally pressed into service and objections would have been of a negligible quantity.

But to operate these busses for months with no provisions or accommodations for colored passengers, was but to invite and suggest objections when colored citizens offered themselves as passengers on these intra-city common carriers.

Most of these busses are as large and commodious as some of these "one-man babies" the Houston Electric Company has the gall to call street cars; yet both races ride on them and we have never heard of any racial clashes or near-race riots because colored people were or are passengers on these "band-box" common carriers.

Why, then, all this furore and objection to colored passengers on these busses? Merely because it is a new type of municipal transportation and the traction company officials think the busses too nice and up-to-date for colored passengers?

Have the local traction company officials so soon forgotten the unstinted support the colored voters of Houston gave them when the proposition was submitted to the voters, last year, for either the retention or abolition of the jitneys?

Do they recall that, in all previous efforts to abolish the jitneys, their efforts met with dismal failure and that colored voters, believing the San Felipe jitney line would be given a new lease on life in the event the white jitneys were retained, voted largely for the retention of the jitneys in former elections?

Do these street car officials remember the campaign waged by The Informer and other colored citizens during the last jitney election, and how the sentiment among colored citizens was changed and how they lined up solidly against the jitneys for the local traction company?

Is their memory so short and their gratitude so lacking that they are now trying to devise and invent schemes and methods to keep these selfsame colored citizens out of these little old busses?

How did they get that way and what kind of brand have they been imbibing since their victory over the jitneys?

Colored citizens were wanted and their votes counted when the existence of the Houston Electric Company was reported to have been at stake; but now since jitney competition has been removed and eliminated, the heads of this corporation are showing their base ingratitude to our group and virtually telling our people that, as far as their riding in these busses is concerned, they can take a swift trip to the plutocratic regions and make their permanent abode in that realm of brimstone and unquenchable fire!

If that is gratitude, then Benedict Arnold was a loyal and faithful patriot and Judas Iscariot a patron saint!

But even dismissing from the argument the gratitude or ingratitude (the latter being termed as the basest of sins) of the traction heads, the question of right, equity, justice, fairness and compliance with the laws of the state and city transcends and over-shadows all sentimental reasons.

If these busses are jitneys, they have neither a legal nor moral right to operate on the streets of Houston; if they are common carriers, operating under the same franchise rights as street cars, issuing transfers and doing a general intra-city transportation business, then neither the city nor local traction company can keep colored passengers out of these busses, and the sooner accommodations are made in them for colored passengers, the better it will be for all concerned.

The Mitchell case is but one of the many that will crop out, if this arbitrary, autocratic, high-handed and trouble-inviting edict and decree of the Houston Electric Company is enforced, with the city government standing by as a silent partner in this open and wilful violation and defiance of the written laws of the city and state!

As stated in these columns last week, this is a test case to determine whether the colored citizens of Houston have any rights that the local traction company heads and the city officials are bound to respect; whether some public service corporation can arrogate unto itself certain super-legal rights and prerogatives and discriminate against citizens of this municipality merely on the grounds of the color of their skin and racial affiliations.

Consequently, Mr. Mtchell's case leaves the realm of the personal and individual and, by the very nature of things does, ipso facto, become the case of all the colored citizens in Houston and the contiguous territory, if not the entire state; particularly since the former legislature passed a bill legalizing busses as common carriers and permitting railroads, traction companies, etc., to operate them in this state.

The Informer knows that there are certain elements in both

would not down.

The Houston Electric Company officials and the city officials should stop trying to deny the colored patrons of the former's traction system and citizens of the latter's municipality their constitutional and inalienable rights; and the colored citizens of Houston, taking the Mitchell case as their cue and basis for contention, should see to it that no man or set of men can longer refuse to accord to our race those rights and privileges that are ours under the laws of the city, state and country.

But, friends, talk will not net us very much; it will require concerted action to bell this cat of racial prejudice and class distinction! ("There is silence!")

TESTING HOUSTON'S ANTI-NEGRO BUS RULE.

The arrest, last week, of W. H. Mitchell, local insurance man, for trying to ride home on the East End bus and his incarceration overnight in default of a $200 bond at the police station, has brought to a focus the legality and equity of a rule promulgated by the Houston Electric Company against colored citizens riding in these busses.

Houston Informer

What is worse, it appears that the City of Houston is particeps in criminis, in that the city officials have refused to compel the local traction company to place markers in these busses so as to separate the two races, as is done on the street cars.

There is no denying or getting around the fact that these busses are common carriers, and as such MUST PROVIDE ACCOMMODATIONS FOR ALL PERSONS DESIRING PASSAGE ON THEM, or the persons thus discriminated against and humiliated have recourse in a court of equity.

2-28-25

Some contend that our people should not force themselves where they are not wanted and where their presence will be resented and precipitate an ugly inter-racial situation.

Houston Texas.

All such arguments are illogical, unreasonable, irrational and nonsensical; for the colored man has as much right to ride in these busses as the members of the favored and fortunate race, and the fact that the busses were placed in service largely as sop to former employers of white jitneys, does not change the situation one bit or alter the fact one iota.

THESE BUSSES ARE NOT JITNEYS, and if they are being operated as jitneys, then the Houston Electric Company is operating jitneys in defiance of the will and wishes of the electorate of this municipality as expressed at the polls last year, when they voted unanimously to abolish all intra-city jitneys.

Not only are these busses being run contrary to the vote of the people (if they are still operating under the "old jitney ordinance," as certain officials of the local traction company contend), but they are operating as jitneys without authority from the city; for the city council has no authority or power delegated to it by the charter to set aside such verdicts of the electors and give special privileges to public service corporations.

Since these busses can not legally be classified, operated and regulated as jitneys (since jitneys do not exist, either by city ordinance or vote of the people), then they are common carriers and as such must conform to and obey all laws, rules and regulations obligatory and mandatory upon corporations operating common carriers in this city and the State of Texas.

The law on this score is quite plain and is manifestly fair, in that it provides and declares that "accommodations on all public carriers within the confines of this state shall be separate, but EQUAL."

Since neither the state nor cities have forced the traction companies to operate separate street cars for colored and white passengers, but have permitted them to divide and separate the races with a marker in the street cars, the same policy could have and should have been applied and enforced when these busses were originally pressed into service and objections would have been of a negligible quantity.

But to operate these busses for months with no provisions or accommodations for colored passengers, was but to invite and suggest objections when colored citizens offered themselves as passengers on these intra-city common carriers.

Most of these busses are as large and commodious as some of these "one-man babies" the Houston Electric Company has the gall to call street cars; yet both races ride on them and we have never heard of any racial clashes or near-race riots because colored people were or are passengers on these "band-box" common carriers.

Why, then, all this furore and objection to colored passengers on these busses? Merely because it is a new type of municipal transportation and the traction company officials think the busses too nice and up-to-date for colored passengers?

Have the local traction company officials so soon forgotten the unstinted support the colored voters of Houston gave them when the proposition was submitted to the voters, last year, for either the retention or abolition of the jitneys?

Do they recall that, in all previous efforts to abolish the jitneys, their efforts met with dismal failure and that colored voters, believing the San Felipe jitney line would be given a new lease on life in the event the white jitneys were retained, voted largely for the retention of the jitneys in former elections?

Do these street car officials remember the campaign waged by The Informer and other colored citizens during the last jitney election, and how the sentiment among colored citizens was changed and how they lined up solidly against the jitneys for the local traction company?

Is their memory so short and their gratitude so lacking that they are now trying to devise and invent schemes and methods to keep these selfsame colored citizens out of these little old busses?

How did they get that way and what kind of brand have they been imbibing since their victory over the jitneys?

Colored citizens were wanted and their votes counted when the existence of the Houston Electric Company was reported to have been at stake; but now since jitney competition has been removed and eliminated, the heads of this corporation are showing their base ingratitude to our group and virtually telling our people that, as far as their riding in these busses is concerned, they can take a swift trip to the plutocratic regions and make their permanent abode in that realm of brimstone and unquenchable fire!

If that is gratitude, then Benedict Arnold was a loyal and faithful patriot and Judas Iscariot a patron saint!

But even dismissing from the argument the gratitude or ingratitude (the latter being termed as the basest of sins) of the traction heads, the question of right, equity, justice, fairness and compliance with the laws of the state and city transcends and over-shadows all sentimental reasons.

If these busses are jitneys, they have neither a legal nor moral right to operate on the streets of Houston; if they are common carriers, operating under the same franchise rights as street cars, issuing transfers and doing a general intra-city transportation business, then neither the city nor local traction company can keep colored passengers out of these busses, and the sooner accommodations are made in them for colored passengers, the better it will be for all concerned.

The Mitchell case is but one of the many that will crop out, if this arbitrary, autocratic, high-handed and trouble-inviting edict and decree of the Houston Electric Company is enforced, with the city government standing by as a silent partner in this open and wilful violation and defiance of the written laws of the city and state!

As stated in these columns last week, this is a test case to determine whether the colored citizens of Houston have any rights that the local traction company heads and the city officials are bound to respect; whether some public service corporation can arrogate unto itself certain super-legal rights and prerogatives and discriminate against citizens of this municipality merely on the grounds of the color of their skin and racial affiliations.

Consequently, Mr. Mtchell's case leaves the realm of the personal and individual and, by the very nature of things does, ipso facto, become the case of all the colored citizens in Houston and the contiguous territory, if not the entire state; particularly since the former legislature passed a bill legalizing busses as common carriers and permitting railroads, traction companies, etc., to operate them in this state.

The Informer knows that there are certain elements in both

Jim Crow Car Laws-1923 Virginia.

The Bus Transportation Problem

Whatever the merits of the unified bus system, a referendum election on which will be held on November 17th, it contains one element of doubt, which will cause the electorate representing about thirty per cent of the population of the city to do some thinking before they vote in favor of the new plan.

It will be remembered that all of the area east of Church street and north of Princess Anne Road embracing probably seventy-five per cent of the colored residential district had no transportation facilities whatever until the Colored Jitney Bus Association supplied them. It is a historic fact that the Virginia Railway and Power Company has always been deaf when any suggestions were made for extending its traction facilities to the rapidly growing colored residential sections in the territory named.

Lindenwood, Washington Heights and Villa Park came into being and blossomed. and the Virginia Railway and Power Company took up its tracks on North Church street, removing the slight access that residents of these districts had to them.

Women and men employed in the Western section of the city could get to their work about as quickly as they can go to Suffolk now. In order to do so they had to travel a carefully executed circuit of the entire business section of the city. What little relief that was ever applied to this condition was furnished by the Colored Jitney Bus Association.

The traction company has given no assurances that it will even continue transportation facilities in the area named. The prospects of having the jitneys removed by the so-called unified plan is not a very cheerful one.

BUSMEN SAY THE SYSTEM BEST FOR RACE RELATIONS

Claim Separate Vehicles Assure Amicable Race Relations That Now Exist In This City.

The colored busmen are broad casting a statement to the citizens of Norfolk, defining the present transportation system as one of the surest ways to maintain the present amicable race relations in the city. In an appeal to the voters to reject the Council's unified transportation ordinance at the polls November 17 the bussmen say: "Every citizen who desires to have the continued good feeling; the happiness of separate riding in their own busses, will vote against the ordinance, and by so doing keep intact the present transportaion system." The bussmen also assert they are giving satisfaction and will do better when the matter is finally settled, if the settlement is favorable on their stand.

In a statement to the Journal and Guide this week, officers of the Bus Association stated that the colored citizens of the city have never enjoyed a more friendly feeling with the white people than at the present time. These officers continued: "Never has each race striven to make the other more happy than in the past four years. It matters not who attempts to insult the real citizens of your community, white or colored, we have resented it with indignation. This feeling is not momentary, it has been steadily built up because there has been a kind disposition not only to live, but to give us an opportunity to express ourselves in education, business and finance. The past has been blazoned with a torch light of progress and our boys and girls have been smiling for a greater future, but now our City Fathers, the majority of them, have voted for an ordinance, which if passed on Tuesday next, November 17, will be a set back to their aspirations for independence and fair play."

The bussmen assert that acceptance of the ordinance will virtually constitute voting to perpetuate a monopoly to the detriment of the small transportation vendor. They state that they are trusting to the public to see what they believe to be the true situation and vote against the ordinance.

Jim Crow Car Laws - 1925

South Carolina.

RIDES IN JIM CROW CAR; GIVEN $1,900

The Chicago Defender
10-26-25
Chicago Ill

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Abbeville, S. C., Oct. 23.—The fall term of common pleas court, with Judge M. L. Bonham on the bench, adjourned here Thursday, Oct. 15, with but one verdict rendered in the session. But three cases were tried, two resulting in mistrials, and Henry E. Foster vs. the Seaboard Air Line railway, gave the plaintiff a verdict for $1,900. The plaintiff, a white man of very dark complexion, claimed that he was forced to take a seat in the Jim Crow coach of the defendant company's railroad and asked for damages on these grounds. The jury was out for four hours and returned a verdict in the amount of $1,900.